

"The Ohio Council of Retail Merchants is pleased to see Ohio's largest private job provider reinvesting in our retail workforce," said President and CEO Gordon Gough. "It's proof that good public policy and meaningful tax reform can make a difference in the lives of all Ohioans."

About Walmart

Wal-Mart Stores, Inc. (NYSE: WMT) helps people around the world save money and live better - anytime and anywhere - in retail stores, online, and through their mobile devices. The company's legal name will become Walmart Inc., effective on Feb. 1, 2018, to reflect its growing status as an omni-channel retailer. Each week, over 260 million customers and members visit our more than 11,600 stores under nearly 60 banners in 28 countries and eCommerce websites. With fiscal year 2017 revenue of \$485.9 billion, Walmart employs approximately 2.3 million associates worldwide. Walmart continues to be a leader in sustainability, corporate philanthropy and employment opportunity. Additional information about Walmart can be found by visiting <http://corporate.walmart.com>, on Facebook at <http://facebook.com/walmart> and on Twitter at <http://twitter.com/walmart>.

###

From: Public Policy Law360
Sent: Thursday, January 25, 2018 4:24 AM
To: Rep93
Subject: Trump's 7th Circ. Pick Advances Without 'Blue Slip'

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PUBLIC POLICY

Thursday, January
25, 2018



TOP NEWS

= 9

Trump's 7th Circ. Pick Advances Without 'Blue Slip'

Senate Democrats on Wednesday bitterly complained about their GOP colleagues' advancement of President Donald Trump's choice for a Seventh Circuit vacancy, accusing the Senate Judiciary Committee chair of tearing down a tradition that allows minority senators to influence the confirmation process. Read more = 2

= 9

Chicago's New US Atty Keeps Eye On Fraud

Under pressure from a White House that has repeatedly singled out Chicago as a hotbed of violence, the new U.S. attorney for the Northern District of Illinois said Wednesday he will continue the office's focus on violent crime

= 9



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LAW FIRMS

but won't let up on its fraud investigations.
Read more »

Calif. AG Sues Over Trump Admin.'s Fracking Rule Repeal

California Attorney General Xavier Becerra on Wednesday sued to block the repeal of Obama-era regulations for hydraulic fracturing on federal and tribal lands, the latest in a string of environmental stands that Becerra has taken against the Trump administration since taking office one year ago. Read more »

Dems Want More Agencies In FCC Fake Comment Probe

Democratic House leaders asked Wednesday that a previously requested investigation into the submission of fake net neutrality comments to the Federal Communications Commission be expanded to include other regulators' rulemakings, a move that comes after the Government Accountability Office agreed this month to look into the extent of the problem. Read more »

= 9

BANKING & SECURITIES

South Korea Targets Cryptocurrency-Related Financial Crimes

South Korea's Financial Services Commission announced steps to curb speculation in cryptocurrency trading on Tuesday, focusing on reducing the incidence of exchanges being used for money laundering and tax evasion. Read more »

ENERGY & ENVIRONMENTAL

= 9

Analysis

Garden State Energy Policy Goes Green With New Gov.

From a reunion with a regional cap-and-trade program to a rebirth for offshore wind development, newly minted New Jersey Gov.

Akin Gump
Allen & Overy
Arnold & Porter Kaye Scholer
BakerHostetler
Beranbaum Menken
Beveridge & Diamond
Buckley Sandler
Cadwalader Wickersham
Cahill Gordon
Cleary Gottlieb
Clifford Chance
Cohen Milstein
Covington & Burling
Cravath Swaine
= 9
Davis Polk
= 9
Debevoise & Plimpton
Dechert
Dentons
Earthjustice
= 9
Fox Rothschild
Fredericks Peebles
= 9
Freshfields
Fried Frank
Gardere Wynne Sewell
Gass Weber
= 9
Goodwin
= 9
Greenbaum Rowe
Greenberg Traurig
Jackson Lewis
Jenner & Block
K&L Gates
Kasowitz Benson
= 9

Phil Murphy heralds a greening of the Garden State's energy policies, Trenton watchers say. Here's a list of new energy and climate policy changes that bear watching. = 9 [Read more »](#)

= 9

Ute Tribe Says Decision Against Fracking Rule Must Stand

The Ute Indian Tribe pressed the Tenth Circuit on Tuesday to leave in place a lower court ruling that the government didn't have the authority to apply a 2015 fracking rule to tribal land, saying the federal government can't take away the benefit of the tribe's win by rescinding the rule. [Read more »](#) = 9

Enviros Fight To Keep Methane Rule Battle In Calif.

= 9 A coalition of environmental and tribal groups told a California federal court Tuesday that their bid to unblock regulations targeting methane emissions on public lands should stay in California, arguing that a move to Wyoming would cause delay when "time is of the essence." = A [Read more »](#)

HEALTH & LIFE SCIENCES

= 9

Senate Confirms Eli Lilly, Wiley Rein Vet To Lead HHS

The Senate approved President Donald Trump's pick for his second U.S. Department of Health and Human Services secretary Wednesday, following Democratic complaints about the nominee's ties to the pharmaceutical industry. [Read more »](#)

Lesbian Couples Lose Challenge To NJ Insurance Rules

A New Jersey federal judge on Tuesday tossed a lawsuit alleging the state discriminates against lesbians seeking insurance coverage for infertility treatments, ruling that the public agencies and individuals

Kirkland & Ellis

Kobre & Kim

Kostelanetz & Fink

= 9

Linklaters

= A

Mayer Brown

McCarter & English

= 9

McDermott Will

Milbank Tweed

Norton Rose Fulbright

= 9

Orrick Herrington

Paul Weiss

Pillsbury Winthrop

= 9

Proskauer Rose

Remy Moose

Ropes & Gray

Rutan & Tucker

= 9

Scarinci Hollenbeck

Shearman & Sterling

Sico Hoelscher

Simpson Thacher

Skadden

Weil Gotshal

= 9

Western Environmental Law Center

Wiley Rein

Willkie Farr

Winston & Strawn

Zuckerman Spaeder

COMPANIES

AT&T Inc.

American Civil Liberties Union

BP p.l.c.

named in the suit are shielded by sovereign immunity. [Read more »](#)

CMS Sued Over 'Radical' Medicaid Work Requirements

The Trump administration's recent announcement that it will support state efforts to impose work requirements on Medicaid beneficiaries is unconstitutional and improperly bypasses the legislative process, a proposed class of Kentucky residents said in a lawsuit filed Wednesday in D.C. federal court. [Read more »](#)

MEDIA & ENTERTAINMENT

= 9

Senators Push For Big Changes To Music Licensing

A bipartisan group of senators on Wednesday introduced legislation that would make major changes to the way digital streaming music services pay royalties, mirroring a House effort launched last month. [Read more »](#)

= 9

AT&T Pushes 'Internet Bill Of Rights'

AT&T Inc. Chairman and CEO Randall Stephenson penned a full-page ad in national media publications Wednesday, calling for new federal legislation he dubbed an "Internet Bill of Rights" that would require all online companies — not just internet service providers like AT&T — to stick to so-called open internet principles. [Read more »](#)

= 9

Time For Legalized Sports Betting, NBA GC Tells Lawmakers

NBA Assistant General Counsel Dan Spillane said "the time has come for a different approach" to sports betting, testifying before a New York State Senate committee hearing on Wednesday and expressing the league's

Burger King Holdings Inc.
Center for Biological Diversity Inc.
Choice Hotels International, Inc.
Clean Air Task Force
Community Financial Corp.
Deloitte Touche
Eli Lilly and Company
= 9
Environmental Defense Fund Inc.
= 9
Etsy Inc.
HBR Consulting LLC
Hyatt Hotels Corporation
International Brotherhood of Teamsters
Los Angeles Times
Love's Travel Stops
Microsoft Corporation
National Association of Consumer Advocates
= 9
National Association of Manufacturers
National Basketball Association
National Conference of State Legislatures
National Health Law Program
Natural Resources Defense Council
Netflix Inc.
New York Times Co.
= 9
Public Knowledge
Public Service Enterprise Group Inc.
Sierra Club
Sinclair Broadcast Group, Inc.
Southern Poverty Law Center
Spotify Technology SA
TravelCenters of America LLC

support for a legalized and regulated system of sports betting. [Read more »](#)

Texas Sex Trafficking Victim Sues Websites, Hotels

A sprawling lawsuit was filed in Harris County, Texas, District Court on Tuesday that names more than two dozen defendants — including Backpage.com, hotel companies and truck stops — as parties who profited off of the sex trafficking of a minor girl, identified as Jane Doe #1. [Read more »](#)

Trump Says He's Willing To Talk With Mueller In Russia Probe

President Donald Trump told a gaggle of reporters in the White House that he was willing to be interviewed by Special Counsel Robert Mueller, who's spearheading an investigation into Russia's interference in the 2016 presidential election, according to reports Wednesday. [Read more »](#)

TRANSPORTATION & INFRASTRUCTURE

FAA, SoCal Cities Reach Settlement Over Flight Paths

The City of Laguna Beach, California, and other local California governments reached a settlement with the Federal Aviation Administration on Tuesday that would dismiss the cities' lawsuits against the agency and its environmental assessment of a plan to implement new flight paths. [Read more »](#)

EMPLOYMENT

Kentucky Judge OKs State's Right To Work Law

A Kentucky state judge on Tuesday dismissed a union suit challenging the state's 2017 right-to-work law, saying the law does not amount to the state "taking" the union's property in

Tribune Media Co.

Twitter Inc.

= 9

U.S. Chamber of Commerce

Washington Lawyers' Committee for Civil Rights and Urban Affairs

Washington Post Co.

YouTube Inc.

GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Land Management

California Department of Justice

Centers for Medicare & Medicaid Services

= 9

Central Intelligence Agency

Cherokee Nation

Commonwealth of Kentucky

Consumer Financial Protection Bureau

Drug Enforcement Administration

European Union

Executive Office of the President

Federal Aviation Administration

Federal Bureau of Investigation

= 9

Federal Communications Commission

Federal Energy Regulatory Commission

= 9

Government Accountability Office

Internal Revenue Service

National Geospatial-Intelligence Agency

National Reconnaissance Office

= 9

National Security Agency

New Jersey Legislature

violation of the Kentucky Constitution. Read more »

PRIVACY & CYBERSECURITY

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= 9

Law Prof Urges US To Have Cos. 'Hack Back' At Cyberthreats

The U.S. should encourage private technology companies to directly respond to cyberthreats from foreign actors, a law professor said. Wednesday at a Washington, D.C., cybersecurity panel, insisting that the threat of retaliation against such attacks would more effectively shape international norms than any set of international laws or treaties. Read more »

CONSUMER PROTECTION

Mulvaney Wants Biz Input On CFPB Investigative Demands

The Consumer Financial Protection Bureau's Mick Mulvaney opened an inquiry Wednesday into the bureau's process for requesting documents from companies under investigation, saying the CFPB wants to hear specifically from businesses that have received multiple civil investigative demands. Read more »

Analysis

State Efforts To Rein In Financial Firms Face Roadblock

With state attorneys general and banking regulators planning to step up their consumer protection efforts if the Trump administration pulls back on enforcement, a recent government filing in Massachusetts has consumer advocates worried the administration will attempt to stand in states' way. Read more »

INTERNATIONAL TRADE

New York Attorney General's Office

New York State Senate

Office of the Comptroller of the Currency

Securities and Exchange Commission

U.S. Army

U.S. Copyright Office

U.S. Department of Defense

= 9

U.S. Department of Education

U.S. Department of Health and Human Services

= 9

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of State

U.S. Department of Transportation

U.S. Department of the Interior

U.S. Department of the Treasury

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U.S. Environmental Protection Agency

= 9

U.S. Immigration and Customs Enforcement

U.S. Senate

U.S. Supreme Court

Ute Indian Tribe

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World Trade Organization

US Prods Russia On Import-Averse Policies = 9

Even as the Trump administration pursues an "America first" trade policy that focuses on robust enforcement against foreign goods, it has nevertheless begun questioning the Russian government for its own rules that appear to be aimed at boosting Moscow's domestic producers, according to documents published Wednesday. [Read more »](#)

TAX

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Anti-Hybrid Statute Gives Broad Authority, Specialists Say

= 9

While a provision in the recently enacted U.S. tax reform legislation was relatively narrow in how it defined so-called hybrid entities and transactions, the authority to issue related regulations to curb potential tax avoidance was broad, practitioners said on a webcast Tuesday. [Read more »](#)

Conservative Groups Tell Trump To Oppose Gas Tax Increase

Two influential conservative organizations with ties to the Koch brothers called on President Donald Trump on Wednesday to oppose an increase in the federal gas tax as part of an infrastructure bill, in a break with the U.S. Chamber of Commerce. [Read more »](#)

= A IMMIGRATION

= A

DOJ Wants Sanctuary Cities' Immigration Compliance Docs

The U.S. Department of Justice on Wednesday told 23 recipients of a federal public safety grant to turn over documents showing whether they're violating funding conditions by blocking police officers in their jurisdictions from sharing

information with federal immigration authorities. [Read more »](#)

= 9

= A Populous Va. County To Roll Back Immigrant Detentions = 9

Virginia's most populous county said Tuesday it intends to stop detaining immigrants who completed their jail sentences and may be of interest to federal immigration officials unless it receives court orders to do so. = 9 [Read more »](#) = 9

NJ Joins DACA Fight As 'Dreamer' Atty Gets Sworn In

An Indian immigrant protected under the Deferred Action for Childhood Arrivals program from deportation was sworn into the New Jersey bar at a ceremony Wednesday, where state officials revealed that New Jersey is joining a court challenge to DACA's planned end. [Read more »](#)

= 9

Shepherds Fight H-2A Visa At DC Circ. In Wage Dispute

The H-2A nonimmigrant visas that allow foreign-born shepherds to work in the U.S. are unlawful because the available positions represent a permanent labor shortage and are thus not temporary, and that they open those shepherds up to abuse by their employers, asserted organizations representing the workers in a brief they filed Tuesday with the D.C. Circuit. [Read more »](#)

= 9

State Dems Fight Trump's Sanctuary City, DACA Policies

Several Democratic mayors and a state official pushed back at the Trump administration's immigration policies this week, with leaders of so-called sanctuary cities abstaining from a meeting at the White House and New York Gov. Andrew Cuomo unveiling a plan to

provide health insurance to Deferred Action for Childhood Arrivals participants. [Read more »](#)

NATIVE AMERICAN

= 9

= 9

Freedmen Worry Cherokee Won't Comply On Citizenship Deal

A D.C. federal judge on Wednesday gave the Cherokee Nation, the descendants of slaves owned by tribal members and the U.S. government 30 days to sort out lingering issues preventing final judgment that would close out a tribal citizenship mandate issued for the descendants last year. [Read more »](#)

TELECOMMUNICATIONS

\$26 For A Whopper? Burger King Takes On Net Neutrality

A quirky Burger King ad released Wednesday turned a fast-food joint into a net neutrality case study, depicting outraged customers who are told they must pay \$26 to be in the "priority" Whopper lane. [Read more »](#)

FCC Chief Plugs Achievements Amid Net Neutrality Flak

Federal Communications Commission Chairman Ajit Pai touted his accomplishments in a report Wednesday just after his first year at the agency's helm, despite controversy over his moves to end net neutrality and allegations that he played favorites with Sinclair Broadcast Group Inc. by relaxing media regulations. [Read more »](#)

WHITE COLLAR

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= A

NJ Judge Trims Menendez Corruption Charges

A New Jersey federal judge on Wednesday acquitted U.S. Sen. Bob Menendez, D-N.J., of charges he received political donations as bribes from a Florida eye doctor while upholding charges that the senator accepted private jet rides and other gifts in exchange for his official actions. [Read more »](#)

EXPERT ANALYSIS

= 9

Setting The Stage For Next Phase Of Clean Water Rule Suits

On Monday, in *National Association of Manufacturers v. U.S. Department of Defense*, the U.S. Supreme Court held that federal courts of appeals lack jurisdiction to hear challenges to the 2015 rule amending the Clean Water Act's definition of "waters of the United States." The ruling has two immediate consequences for the ongoing battle over the definition, say attorneys with Beveridge & Diamond PC. [Read more »](#)

Tax Reform's Likely Impact On Domestic M&A

The Tax Cuts and Jobs Act contains several provisions that significantly affect the federal income tax consequences of structures often used in domestic mergers and acquisitions. The act also contains a number of ambiguities, which makes application uncertain, say attorneys with Fox Rothschild LLP. [Read more »](#)

Understanding New IRS Rule On Contractor Tax Compliance

= 9 The U.S. Treasury Department recently issued an interim rule to improve the Internal Revenue Service's ability to identify contractors who have delinquent federal tax liabilities. Contractors should review their filing histories and recent returns to make sure they are up-to-date, says Megan Brackney of Kostelanetz & Fink LLP. [Read more »](#)

LEGAL INDUSTRY

Analysis

Build Versus Buy: Law Firms Seek Legal Tech Answers

New tools make it easier for law firms to develop their own technology, but many firms are struggling with the question of whether doing so is best for them. Here, the first in a two-part series looking at BigLaw's build versus buy dilemma. [Read more »](#)

= 9 Goodwin To Offer Most Associates Cravath-Scale Bonuses = 9

Goodwin Procter LLP announced in a memo made public Wednesday that the vast majority of its associates would receive year-end bonuses on par with or exceeding the familiar scale established by Cravath Swaine & Moore LLP, which has remained the standard for several BigLaw firms. [Read more »](#)

= 9

= 9 Bar Exam Prep Co., Blind Students Settle ADA Suit

Bar exam prep company BarBri and three blind law students who had alleged the company failed to provide equal access to parts of its courses in violation of the Americans with Disabilities Act have settled the dispute, according to court documents filed this week. [Read more »](#)

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= A

From: Rep93
Sent: Thursday, January 25, 2018 11:10 AM
To: Snider, Grace
Subject: FW: INVITATION: School Based Health Care Workgroup Jan. 29
Attachments: 20180129 School Based Working group.pdf

FYI

From: Theresa.Hatton@governor.ohio.gov [mailto:Theresa.Hatton@governor.ohio.gov] **On Behalf Of** greg.moody@governor.ohio.gov
Sent: Thursday, January 25, 2018 10:41 AM
To: Theresa.Hatton@governor.ohio.gov; 'rgraham@lcghd.org' <rgraham@lcghd.org>; 'hamilton@basa-ohio.org' <hamilton@basa-ohio.org>; 'Daniel.Troy@lakecountyohio.gov' <Daniel.Troy@lakecountyohio.gov>; 'darlene.kamine@clcinstitute.org' <darlene.kamine@clcinstitute.org>; 'jdirossi@ohiohc.org' <jdirossi@ohiohc.org>; 'mmotter@oahp.org' <mmotter@oahp.org>; 'president@oasn.org' <president@oasn.org>; 'eharper@ohiobrt.com' <eharper@ohiobrt.com>; 'klake@ohiochamber.com' <klake@ohiochamber.com>; 'murrayMD@live.com' <murrayMD@live.com>; 'skincaid@ohiochildrenshospitals.org' <skincaid@ohiochildrenshospitals.org>; Reina.Sims@mih.ohio.gov; 'Keith.Hochadel@CommQuest.org' <Keith.Hochadel@CommQuest.org>; 'david@oda.org' <david@oda.org>; 'kkerns@ooa.org' <kkerns@ooa.org>; 'office@ohiopta.org' <office@ohiopta.org>; 'TBaker@osma.org' <TBaker@osma.org>; 'Angela@pcsao.org' <Angela@pcsao.org>; 'brandi@raiseyourvoiceforkids.org' <brandi@raiseyourvoiceforkids.org>; 'mcropper@oft-aft.org' <mcropper@oft-aft.org>; 'ehenrich@oacbha.org' <ajbrenn10@aol.com> <ajbrenn10@aol.com>; Peggy Lehner (DST) <SD06@ohiosenate.gov>; Rep93 <Rep93@ohiohouse.gov>; 'Scott.Borgemenke@ohiohospitals.org' <Scott.Borgemenke@ohiohospitals.org>; 'ASpicer@ohioafp.org' <ASpicer@ohioafp.org>; 'jwills@ooanet.org' <jwills@ooanet.org>; 'rlewis@ohioschoolboards.org' <rlewis@ohioschoolboards.org>; 'jim@oasbo-ohio.org' <jim@oasbo-ohio.org>; 'burford@oesca.org' <burford@oesca.org>; 'arohlingmcgee@healthpolicyohio.org' <arohlingmcgee@healthpolicyohio.org>; 'nathan@oda.org' <nathan@oda.org>; 'aly.deangelo@ohiohospitals.org' <aly.deangelo@ohiohospitals.org>; 'animak@aol.com' <animak@aol.com>; 'burford@oesca.org' <burford@oesca.org>; 'Rfields@osma.org' <Rfields@osma.org>; 'ajbrenn10@aol.com' <ajbrenn10@aol.com>; Reina.Sims@mih.ohio.gov; 'bcarroll@hpio.net' <bcarroll@hpio.net>; 'Brandi@raiseyourvoiceforkids.org' <Brandi@raiseyourvoiceforkids.org>; 'skincaid@ohiochildrenshospitals.org' <skincaid@ohiochildrenshospitals.org>; 'brandi@raiseyourvoiceforkids.org' <brandi@raiseyourvoiceforkids.org>; 'kathleen@raiseyourvoiceforkids.org' <kathleen@raiseyourvoiceforkids.org>; 'rally@hpio.net' <rally@hpio.net>; 'aspicer@ohioafp.org' <aspicer@ohioafp.org>; 'MaryKay.Irwin@nationwidechildrens.org' <MaryKay.Irwin@nationwidechildrens.org>;

'aweaver@oahp.org' <aweaver@oahp.org>; 'jdirossi@ohiohc.org' <jdirossi@ohiohc.org>;
'jwills@ooanet.org' <jwills@ooanet.org>; 'joan.hlinomaz@ketteringschools.org'
<joan.hlinomaz@ketteringschools.org>; Kate Rossman <Kate.Rossman@ohiosenate.gov>;
'drgossard@ecpnetwork.com' <drgossard@ecpnetwork.com>;
'marykay.irwin@nationwidechildrens.org' <marykay.irwin@nationwidechildrens.org>;
'murrayMD@live.com' <murrayMD@live.com>; mark.smith@education.ohio.gov;
LESLEY.SCOTT-CHARLTON@medicaid.ohio.gov; 'rdickman@ohioaap.org'
<rdickman@ohioaap.org>; 'Kate Mahler' <KMahler@ohioafp.org>
Cc: Paolo.Demaria@education.ohio.gov; John.Martin@dodd.ohio.gov;
Lance.Himes@odh.ohio.gov; Cynthia.Dungey@jfs.ohio.gov;
Barbara.Sears@medicaid.ohio.gov; tracy.plouck@mha.ohio.gov;
Monica.Juenger@governor.ohio.gov; Sarah.Wickham@education.ohio.gov;
Marjorie.Yano@medicaid.ohio.gov; 'jimmy_sarakatsannis@mckinsey.com'
<jimmy_sarakatsannis@mckinsey.com>; 'matt_karlan@mckinsey.com'
<matt_karlan@mckinsey.com>

Subject: INVITATION: School Based Health Care Workgroup Jan. 29

Thank you again for your commitment to improving academic achievement through better student health. I attached an agenda for our meeting on Monday (the original invitation is copied below). Your participation is critical to help us resolve these design questions:

1. Where is the greatest need?
2. What should the care delivery model look like?
3. How do we encourage partnerships?

The agenda includes a worksheet on each question (pages 12-14), which we will use to facilitate breakout sessions on Monday. Please review these pages prior to the meeting and think about which breakout you want to join.

Our goal is to complete design decisions by March. This will include delivering the tools and resources to support any district that wants to provide additional health care services to their students. In addition, we will identify the characteristics of an enhanced model to match additional resources to the greatest need.

Again, thank you for your leadership -- I look forward to seeing you on Monday.

Greg Moody, Director
Ohio Governor's Office of Health Transformation

School Based Health Care Workgroup

Monday, January 29, 2018

11:00am – 12:30pm

Lazarus Office Building, 6th Floor

50 W. Town Street

Columbus, OH 43215

RSVP: <https://goo.gl/forms/ZnYEjDZP6Lwr5ITg1>

***Allow additional time to check in with Dept. of Medicaid security upon arrival.

From: Hatton, Theresa **On Behalf Of** Moody, Greg

Sent: Tuesday, January 16, 2018 3:46 PM

Subject: INVITATION: School Based Health Care Workgroup Jan. 29

We are pleased to reconvene the School Based Health Care Workgroup to finish the work we started in 2014. Please join us 11:00-12:30 on January 29 at the Lazarus Building (50 West Town Street, Columbus), and confirm your attendance or identify a designee from your organization here:

<https://goo.gl/forms/ZnYEjDZP6Lwr5ITg1>

The purpose of the School Based Health Care Workgroup is to improve academic achievement through better student health. The original Workgroup set a clear direction for developing partnerships between primary care practices and schools (attached). We are now in a position to build on this work and, with your assistance, launch a program later this year to help schools and primary care practices develop these partnerships.

Many of you participated in the original Workgroup, and some of you are new. We appreciate everyone's leadership on this project, and look forward to seeing you on January 29.

Best regards,

Paolo DeMaria, Superintendent of Public Instruction
Ohio Department of Education

Greg Moody, Director
Ohio Governor's Office of Health Transformation

School Based Health Care Workgroup
Monday, January 29, 2018

11:00am – 12:30pm

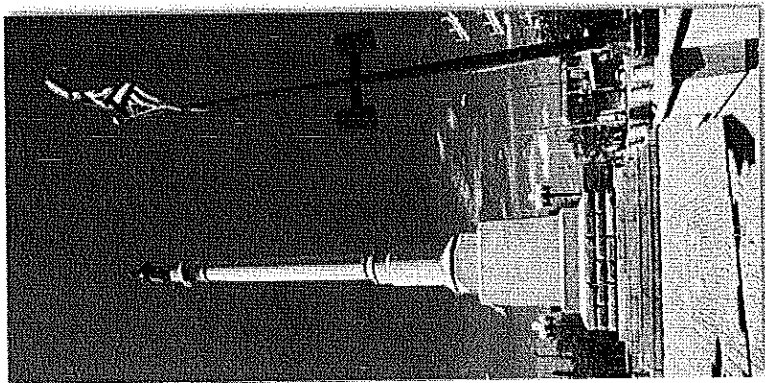
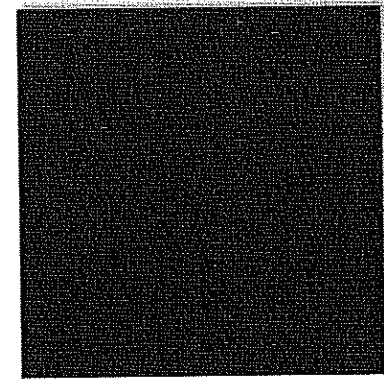
Lazarus Office Building, 6th Floor

50 W. Town Street

Columbus, OH 43215

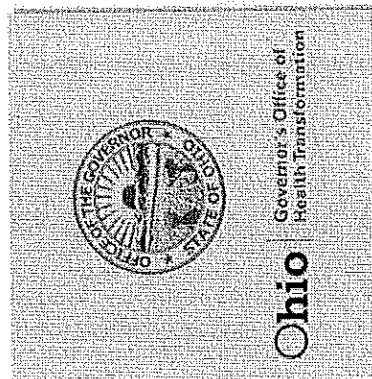
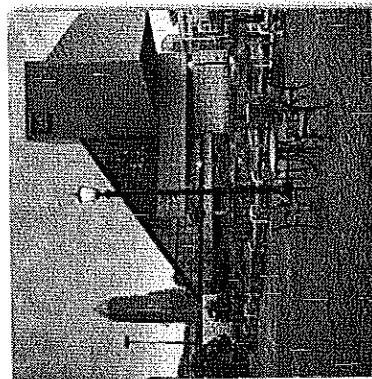
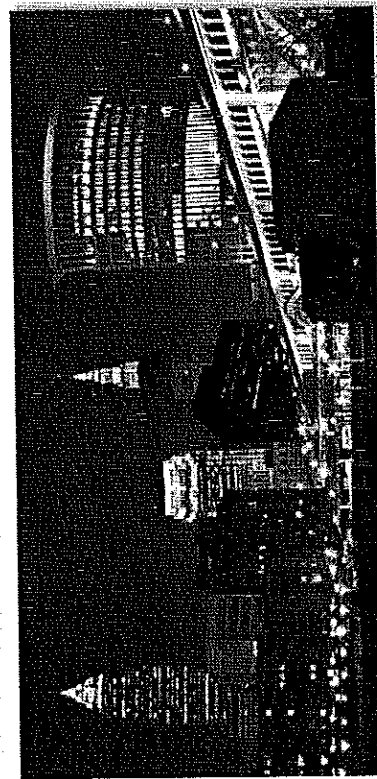
RSVP: <https://goo.gl/forms/ZnYEjDZP6Lwr5ITg1>

***Allow additional time to check in with Dept. of Medicaid security upon arrival.






School-based healthcare: Working group materials

January 29, 2018



Ohio Governor's Office of
Health Transformation

Objectives for today's discussion

 Objectives	 Time	 Facilitation
Share progress to date and program objectives Introduction and review of past workgroup efforts Update on Medicaid reforms Update on education reforms and why 2018 is the perfect time to launch school-based health care	11:00-11:25	Director Moody Director Sears Superintendent DeMaria
Get the group's thoughts on key design decisions What are the characteristics of schools and primary care providers (PCPs) that participate? What should the care delivery model look like between schools and primary care providers? What incentives could encourage schools and primary care providers to participate? Reconvene group and share learnings from breakouts	11:25-12:25	ODE and ODM small group leaders
Establish an engagement plan going forward 2018 timeline for school-based health care rollout Operating model for upcoming workgroup sessions	12:25-12:30	Director Moody

Contents

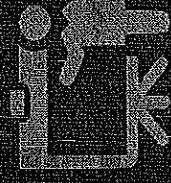
- **Progress and objectives**

Design choice breakouts

Ongoing engagement plan

Introduction

Starting the discussion in 2014

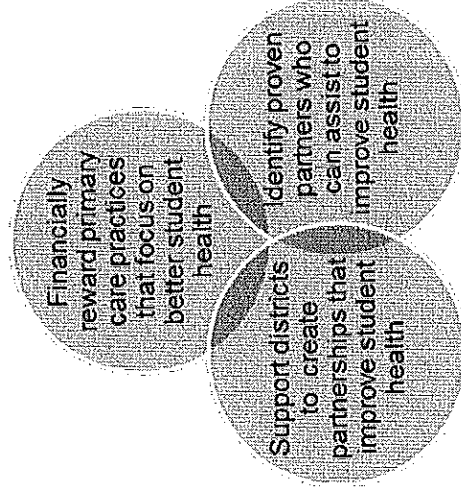


Our discussion

The last meeting of this workgroup in 2014 started a statewide discussion around the importance of and potential for school-based healthcare to support academic outcomes

Our outcomes

The workgroup forged an initial view of how school-based healthcare could work, designed a framework for a school support toolkit and built a research base of successful school-based healthcare models both in and out of Ohio



Since the last workgroup discussion, Ohio has made great strides in improving the quality of healthcare

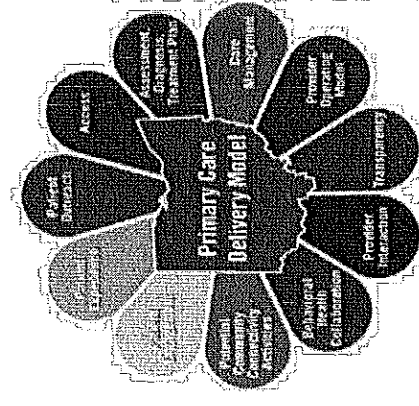
Medicaid

Patient-centered medical homes

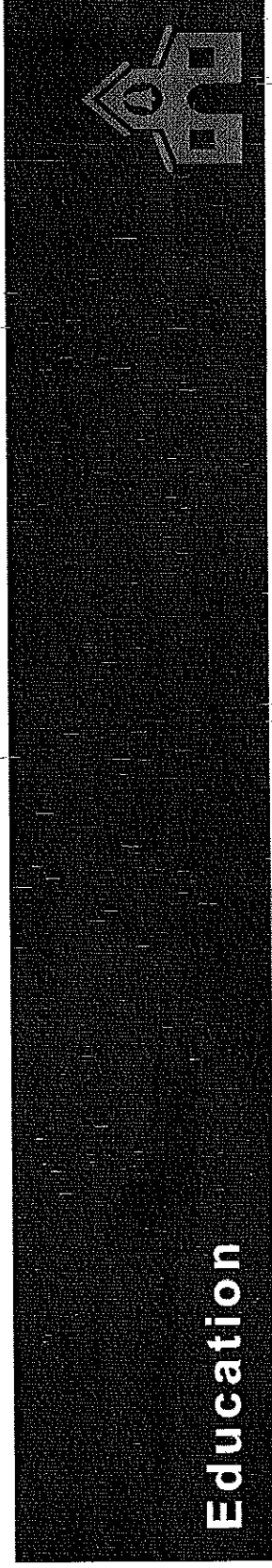
Designed Comprehensive Primary Care in collaboration with providers and payers to create a broader, more holistic version of care – now 44% of Ohioans on Medicaid are enrolled

Transforming behavioral health care

Ohio's Behavioral Health Redesign provides members access to new services and incorporates behavioral health services into managed care



Ohio has also embraced school improvement practices focused on supporting students both in and out of the classroom



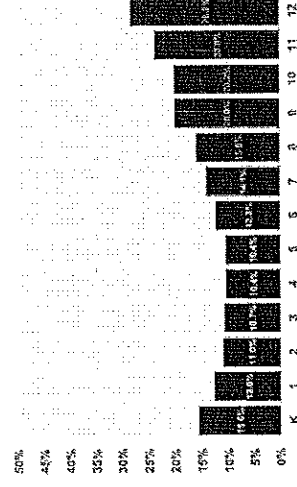
Preventative approach to absenteeism

Ohio's school improvement efforts recognize that keeping students in the classroom and addressing basic health needs are important contributors to improved academic outcomes

School improvement looks beyond academics

Efforts to promote school improvement have highlighted the need to address health issues as a precursor to student learning - when students' health care needs are met, their readiness for learning is enhanced

Chronic Absenteeism by Grade



Given all of the work in the past few years, 2018 is the perfect time to roll out school-based healthcare



There is collaboration between stakeholders

ODE, ODM and ODH have fostered a unique partnership



There is urgency to act

ODE built a school improvement planning process that places focus on academic outcomes for the students that need it most



The timing is right

House Bill 410 and Ohio's ESSA submission both place a unique emphasis on schools keeping students in the classroom

The establishment of Comprehensive Primary Care incentivizes health care providers to better support the needs of Ohioans on Medicaid

Ohio could focus school-based healthcare efforts on two academic goals that other SBHC initiatives have been shown to improve

Reduce rate of chronic absenteeism

Reduce number of students in restrictive classroom environments

They are linked to both health and academic outcomes

Students who need dental care, eyeglasses or suffer from other health issues are more likely to be chronically absent and less likely to respond to academic improvement efforts

Students with emotional or behavioral disorders are more likely to be taught outside the general classroom environment and/or provided a special needs assistant²

Chronic absenteeism is associated with lower math and reading achievement outcomes, educational engagement and social engagement¹

Highest student academic outcomes are associated with placement in the least restrictive classroom environment

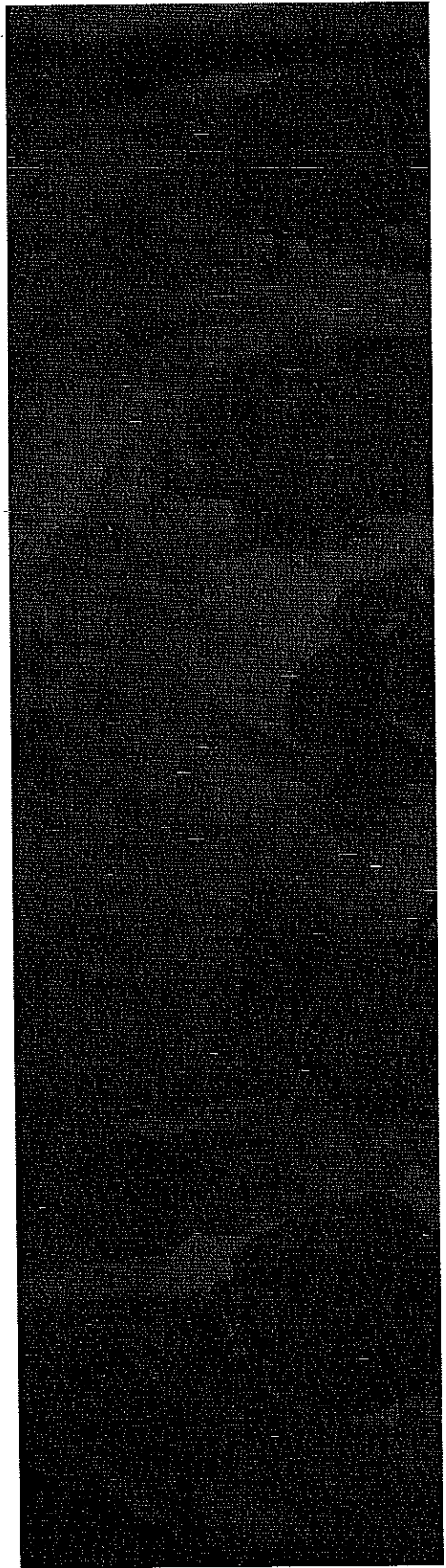
They can be impacted by SBHC interventions

SBHC initiatives have demonstrated a substantial effect on absenteeism (e.g. SBHC vaccination program reduced absenteeism by 63% at ~50 LA schools)

Early interventions to mitigate emotional and behavioral disorders are associated with fewer students in restrictive classroom environments and reduced system cost

¹ "Chronic Absenteeism and its Effects on Students' Academic and Socioemotional Outcomes" in the Journal of Education for Students Placed at Risk (JESPAR) (Nov 2014)
² "The Education of Students with Challenging Behaviour arising from Severe Emotional Disturbance" in NCSE Policy Advice Paper

Guiding principles for the SBHC program



The SBHC program should



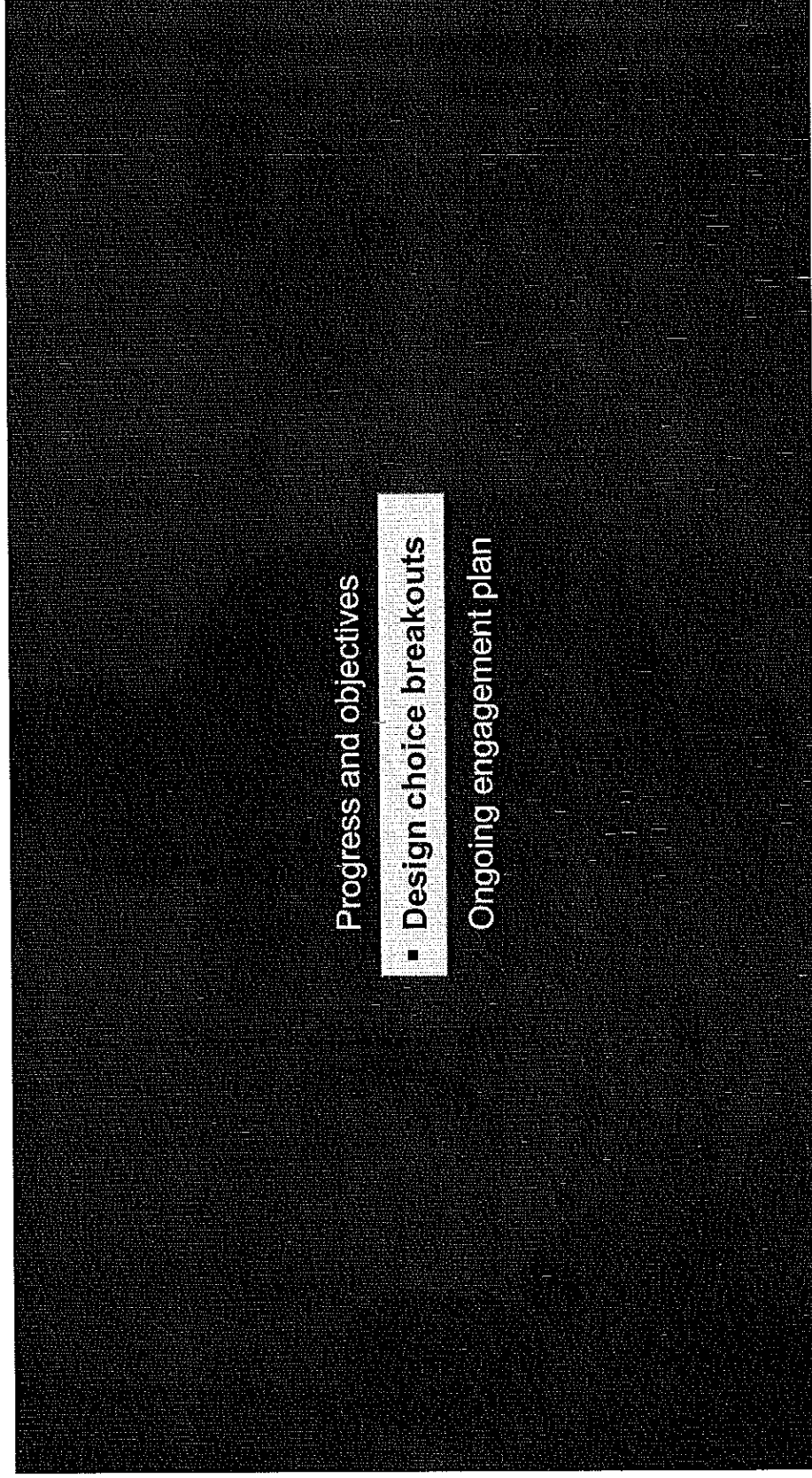
- **Function as an opt-in model** for families, schools and primary care providers
- **Provide support resources to any school**, as well as enhanced support for schools that need it most
- **Remain cost neutral or lower cost** than alternative options



The SBHC program should not

- **Require mandatory participation** of any stakeholder
- **Exclude any schools** that want to participate nor serve as a one-size fits all model
- **Add an incremental new cost** in already heavily constrained school budgets

Contents

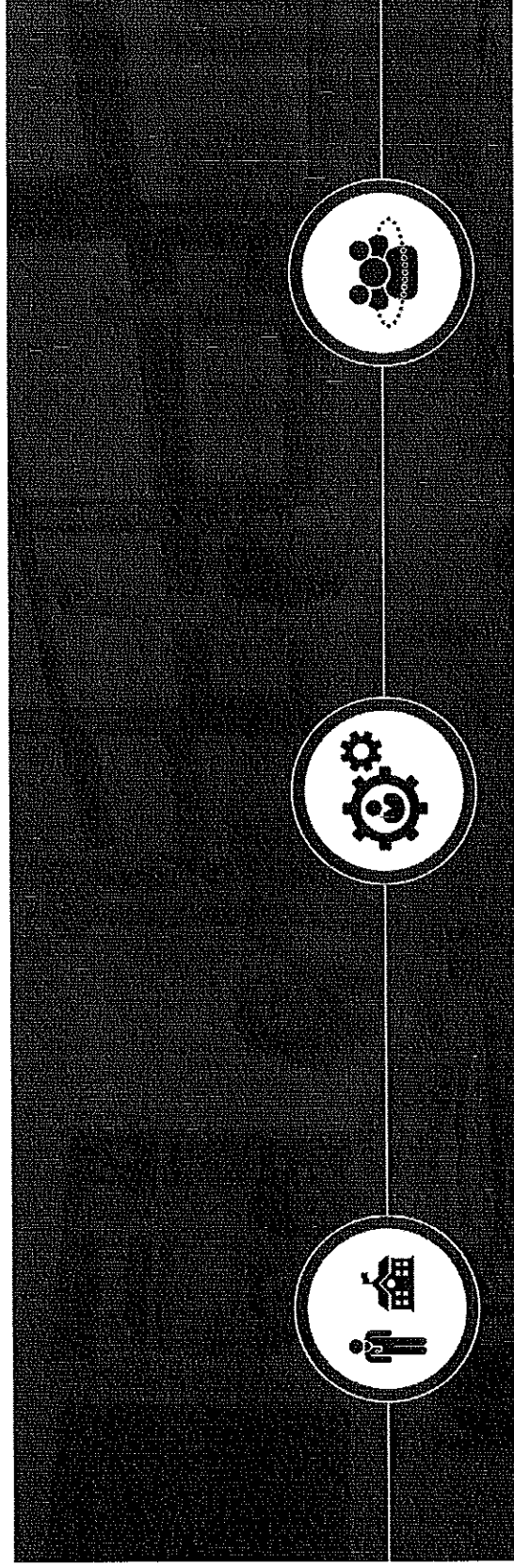


Progress and objectives

- Design choice breakouts

Ongoing engagement plan

Three design questions for discussion



What are the characteristics of schools and PCPs that participate at each level of the model?

What should the care delivery model look like between schools and PCPs?

What non-financial and financial incentives could encourage schools and PCPs to participate?

Two-tiered support model: Any school and PCP can partner, but schools with the greatest need receive enhanced support

A Baseline SBHC – for any school and PCP

- All schools
- All PCPs

Partner-ship eligibility

- Secure parental consent
- Inform parents of SBHC partnership

School activities

- Access to SBHC toolkit (includes parental consent forms, data-sharing agreements, etc)

School support

- Reserve slots for SBHC appointments
- Share academically relevant diagnoses

PCP activities

- Traditional Medicaid payments (plus additional payments for PCPs enrolled in the Ohio Comprehensive Primary Care program)

B Enhanced SBHC – for schools with greatest need

- Target schools based on metrics including: chronic absenteeism, prevalence of specific conditions, prevalence of IEPs or 504 plans, Medicaid enrollment, etc.
- Only PCPs enrolled in Comprehensive Primary Care

- Secure parental consent
- Inform parents of SBHC partnership
- Facilitate PCP appointments
- Provide physical space or transport to PCP offices

- Access to SBHC Toolkit
- Potentially increased Medicaid Schools Program funding
- Potential direct technical assistance

- Reserve slots for SBHC appointments
- Share academically relevant diagnoses
- Potentially set up satellite clinic at schools

- Comprehensive Primary Care program benefits
- Potentially increased per member per month (PMPM) payments
- Possible non-financial incentives

Questions to consider:

- 1) Which metrics should define high-support schools?
- 2) What activities should be required of schools?
- 3) What activities should be required of PCPs?
- 4) What should be in the school support toolkit?

Care delivery model: Possible partnerships between schools and PCPs require a tradeoff between ease and benefit for all involved

Potential care delivery models between PCPs and schools for Enhanced SBHC

Ease for schools Ease for PCPs Benefit to students and community

In-school, full time

SBHC clinic provides medical support on campus during school hours

In-school, regular schedule
SBHC PCP provides medical support on campus at designated times (e.g., weekly)

Mobile clinic, regular schedule
SBHC PCP provides medical support at mobile clinic near campus at designated times (e.g., weekly)

Off-site, by appointment with school-provided transport
Schools facilitate appointments and transportation for consultations at SBHC PCP offices

Low –

Requires dedicated physical space, taking students out of class

Low –

Requires dedicated PCP staff

High –

Immediacy of treatment; presence strengthens SBHC partnership; could include family care

Medium –

Requires temporary physical space, taking students out of class

Medium –

Requires school visits

Medium –

Students receive frequent, convenient medical care

Medium –

Need to take students from class; need secure space; requires funding for mobile clinic

Medium –

Requires school visits

Medium –

Students receive frequent, convenient medical care; not conducive for behavioral health

Low –

Need funding and capacity to facilitate appointments, manage and provide transport

High –

No travel or changes to existing operating model

Low –

Likely to experience limited uptake due to complex logistics outside of school hours

Questions to consider:

- 1) What kinds of schools will be most successful in each model?
- 2) What logistical challenges must be overcome in each model?
- 3) What other models could be successful (e.g. telemedicine)?
- 4) What types of health interventions can and cannot happen in each model?

Stakeholder incentivization: SBHC can encourage schools and PCPs to participate with a mix non-financial and financial factors

Method of incentivization

SBHC value proposition	Base-level benefits	Potential additional incentives
<ul style="list-style-type: none"> Improving both student health and academic outcomes 	<ul style="list-style-type: none"> Access to SBHC toolkit and technical assistance Title I/state funding Flexibility of funds 	<ul style="list-style-type: none"> Transparency of outcomes / recognition Financial support (e.g. foundations, local businesses, healthcare providers) Medicaid Schools Program funding Rent to PCPs for space Attendance-related funding
<ul style="list-style-type: none"> Improving patient health and simplifying access to care 	<ul style="list-style-type: none"> Comprehensive Primary Care (CPC) benefits <ul style="list-style-type: none"> PMPM payments Shared cost payment Additional patient reach 	<ul style="list-style-type: none"> Transparency of outcomes and recognition Increased PMPM payments CPC enrollment for non-CPC eligible providers (e.g. dentists)

Schools



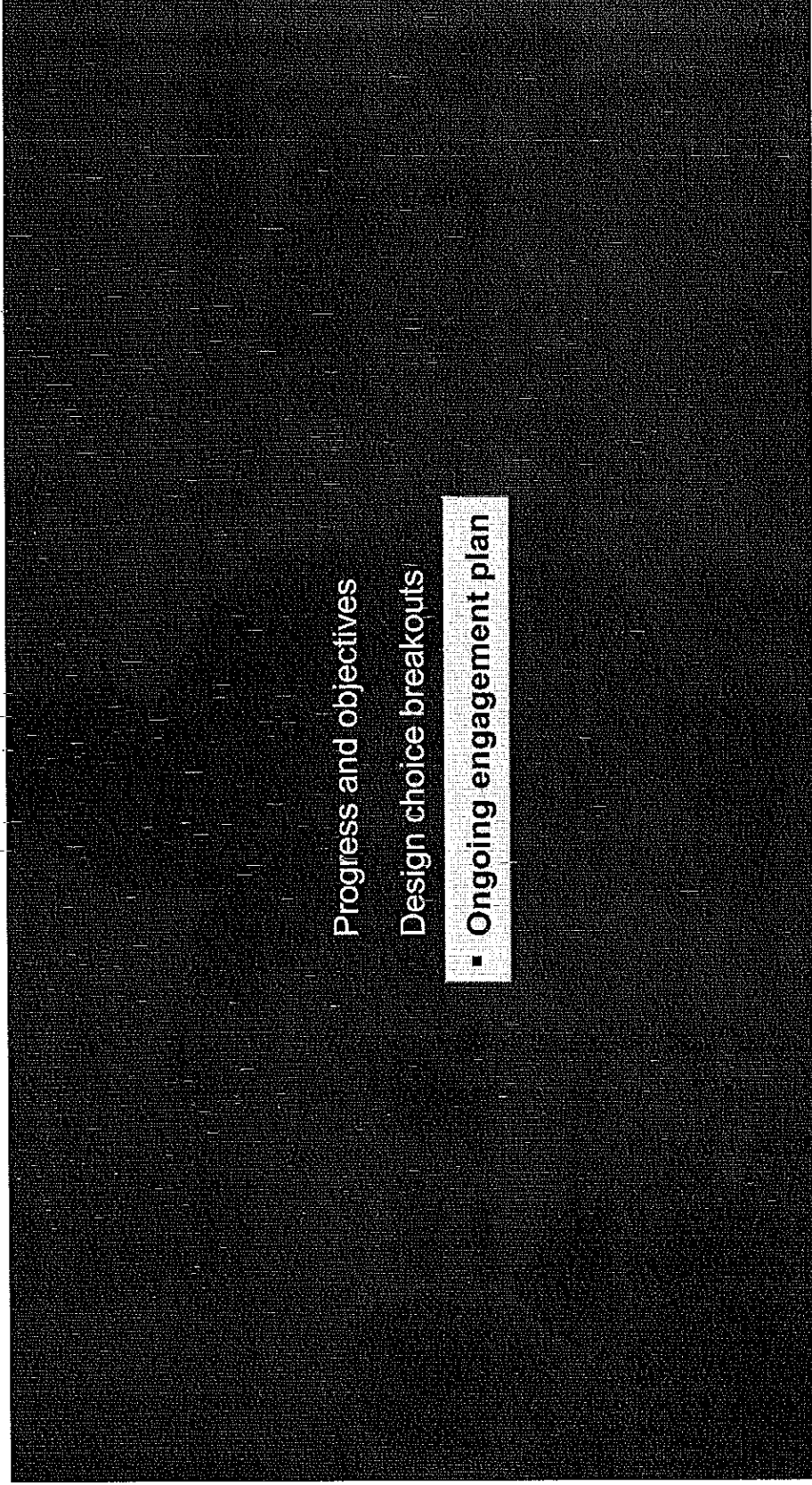
PCPs



Questions to consider:

- 1) Which incentives will most encourage PCPs to participate?
- 2) Which incentives will most encourage schools to participate?
- 3) What will be the key sources of financial support?
- 4) What are other incentives not listed that should be added?

Contents

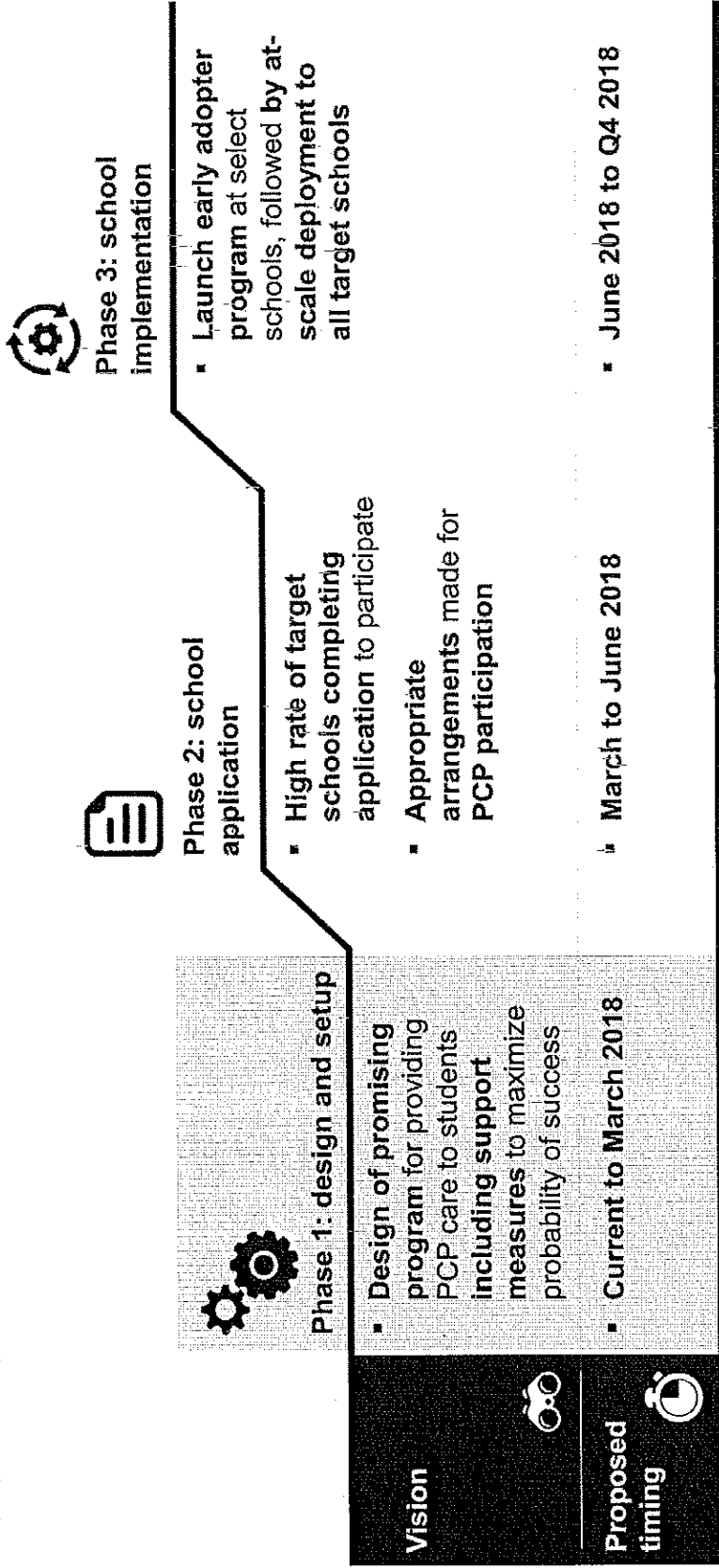


Progress and objectives

Design choice breakdowns

- Ongoing engagement plan

Vision for school-based healthcare in 2018



Next steps with this workgroup

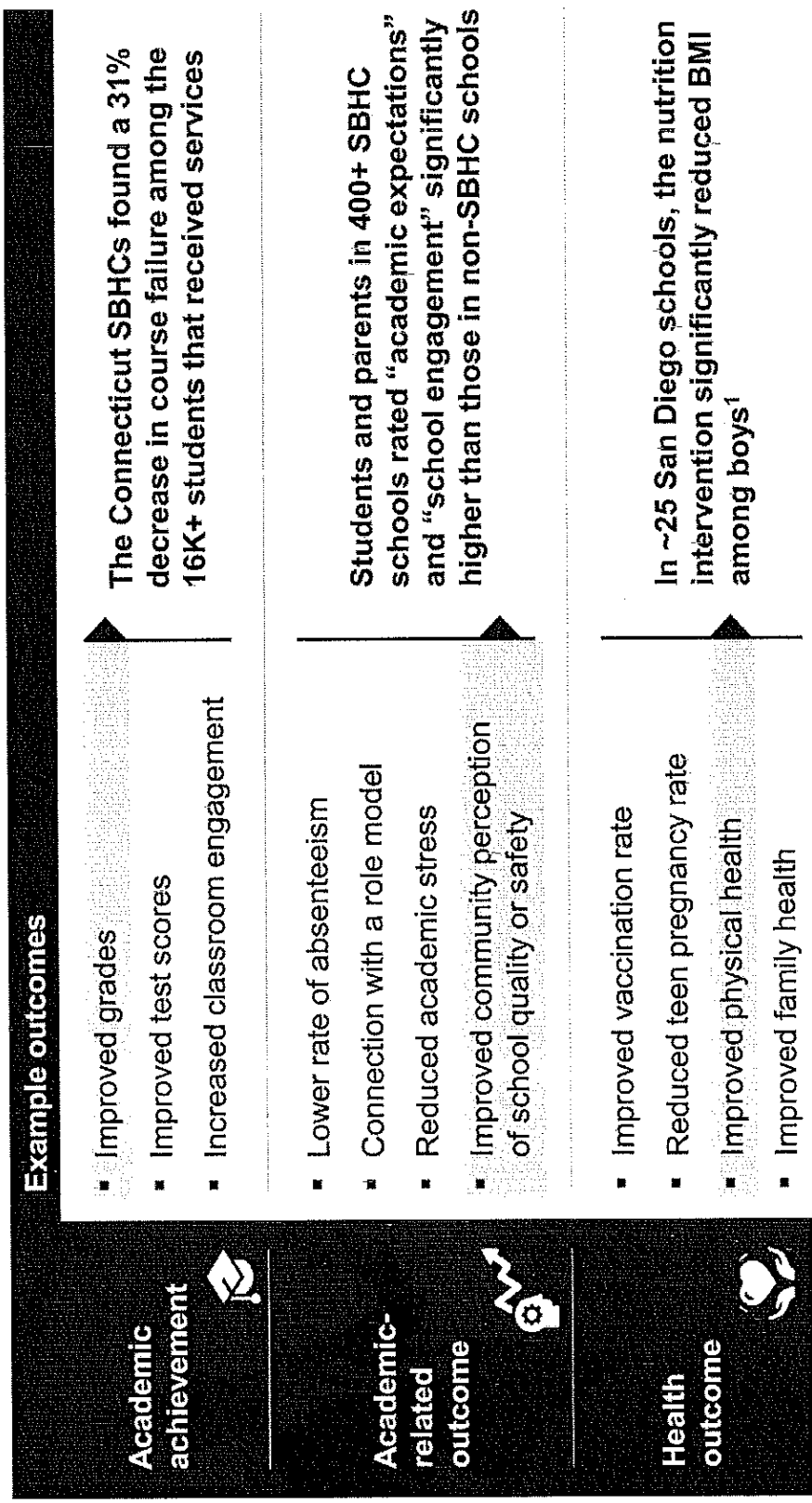
- Small-group follow-up calls over the course of February as needed on specific design questions
- The whole group reconvenes on 3/14 to align on school toolkit supports, review a refined engagement plan and program narrative and preview activities for phase 2

Preliminary pre-decisional working draft; subject to change

Handouts

Well-designed national school-based healthcare initiatives have shown measurable impact on academic and health outcomes

Type of SBHC intervention outcomes



1 San Diego M-SPAN program

Health issues most tied to student absenteeism and relevant SBHC interventions

Health issues

Relevant statistics and description of SBHC intervention

Asthma



- ~10% of students nationally aged 4-14 are diagnosed with asthma and are 3X more likely to be commonly absent than their peers; this may be underdiagnosed in Ohio, as only 5% of students had an asthma Medicaid claim in 2017¹

- SBHCs improve asthma control by managing asthma triggers and treating asthma-related episodes

Oral Health



- 20% of students ages 5-11 have at least one untreated decayed tooth; students in low-income communities are twice as likely to miss school for oral health reasons, with 73% missing at least 2 days²

- School-based dentists identify dental issues and increase knowledge on proper dental hygiene

Mental / behavioral



- 12% of Ohio students had a Medicaid claim for a mental or behavioral health issue in 2017, including 17% of high schoolers; 70% of US adolescents with mental or behavioral health issues do not get the care they need³

- Interventions to increase awareness/reduce stigma of mental and behavioral health issues, improve access to care, and change behaviors to support positive socio-emotional growth

Vision



- Students that participated in a free eyeglasses intervention in Florida were associated with an increased probability of passing the standardized reading test by 2.5 percentage points and the standardized math test by 3.4 percentage points⁴

- Interventions to identify vision issues and increase access to vision care

Immunizations







- An immunization intervention in Los Angeles decreased absenteeism by 63%⁵

- SBHCs provide a provision of immunizations necessary for school attendance and/or beneficial for health outcomes (e.g., flu)







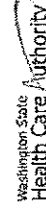
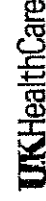
¹ Data from Ohio Department of Medicaid, Ohio Department of Health
² "Chronic Absenteeism" from the Health Schools Campaign
³ Data from Ohio Department of Medicaid, Ohio Department of Health: "Key Mental Health Statistics" - National Center of Inclusive Education
⁴ Florida Vision Quest
⁵ LA FluMx vaccination program

PCP interventions have relied upon a few consistent public and private funding options

Most common funding options for SBHCs¹

State and federal governments	
Private organizations (e.g. foundations)	
In-kind contributions (e.g. from school districts)	
Patient-care revenue (e.g. Medicaid, private insurance)	

Sponsors include

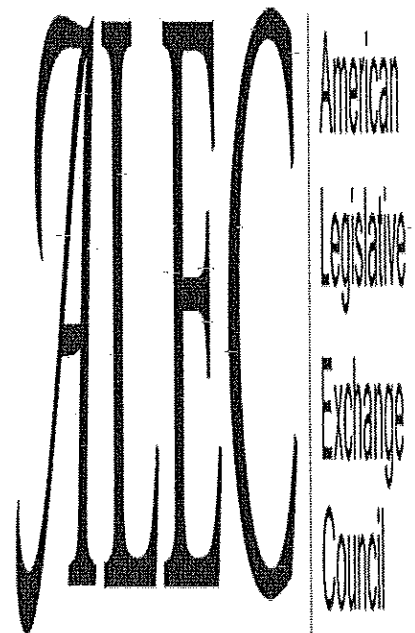
Examples		
FL Vision: Free vision screenings for elementary school students, Asthma Self-Management for Adolescents	 	Title I Funding, New York Department of Education
Elev8 Chicago primary care services, SBIRT Substance Use Prevention	 	The Atlantic Philanthropies, Conrad N. Hilton Foundation
Connecticut Association of School-Based Health Centers, Seattle School-Based Health Centers	 	LEAs, local community centers, local government, local healthcare providers and payers, local education councils
Washington State Take Charge, Rural Kentucky HPV vaccination program	 	Medicaid, Lake Cumberland District Health Department

From: Lisa B. Nelson
Sent: Friday, January 26, 2018 3:32 PM
To: Rep93
Subject: ALEC Registration Now Open

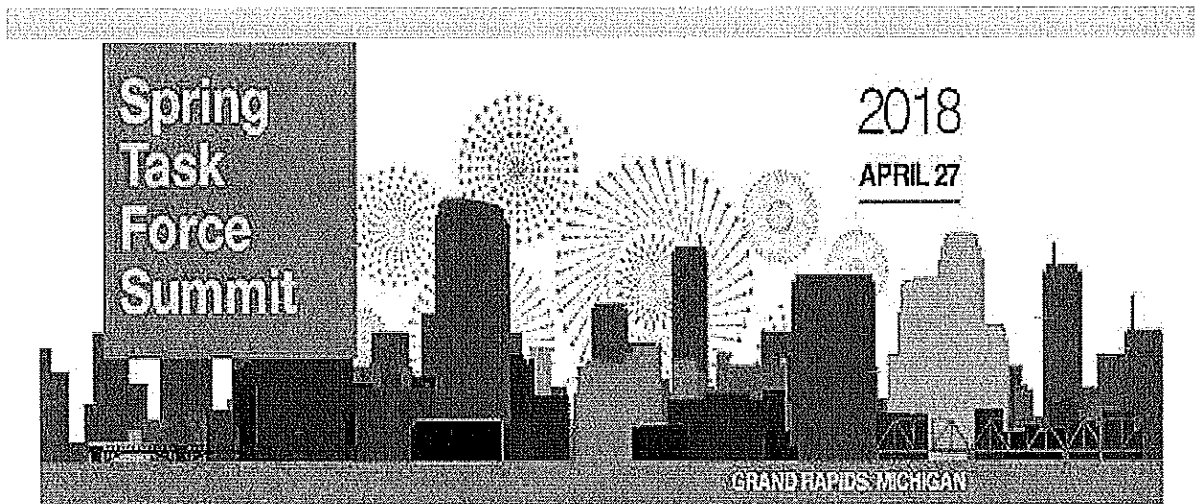
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Dear Friends -

2018 marks the ALEC 45th anniversary, and what better way to recognize the important role of ALEC than to participate in the first meeting of our 45th year--the Spring Task Force Summit. Registration is now open for the **2018 Spring Task Force Summit** taking place in **Grand Rapids, Michigan** on **April 26, 2018**.

= A

As I have said before, it is a great time to be at ALEC and NOW is the time for you to bring your friends and colleagues. ALEC is where the action is; where debate happens, and where ideas are tested. To help make it easier for you and others to attend the 2018 Spring Task Force Summit, we are offering a **20% discount** on registration prices for the **next 7 days**.

Register now and use the code **STFS18-20percent** at check out to take advantage of the discount.

I hope you will join us in Grand Rapids for what is sure to be a great day of policy discussion and debate. Start the year off right and register now!

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa B. Nelson". The signature is written in a cursive, flowing style.

Lisa B. Nelson
Chief Executive Officer
American Legislative Exchange Council



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the Amway Grand Plaza**

While in Grand Rapids, discover the historic
charm of the Amway Grand Plaza.

Book now through April 6, 2018* at the
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Book Now

**Registration is now open for the
2018 Spring Task Force Summit**

Don't forget to use the discount code
below to receive 20% off the registration
cost.

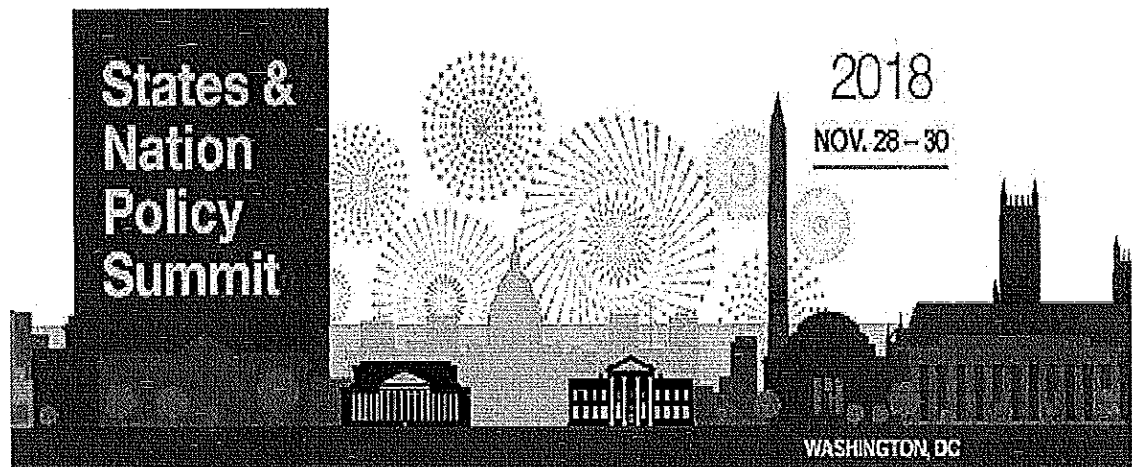
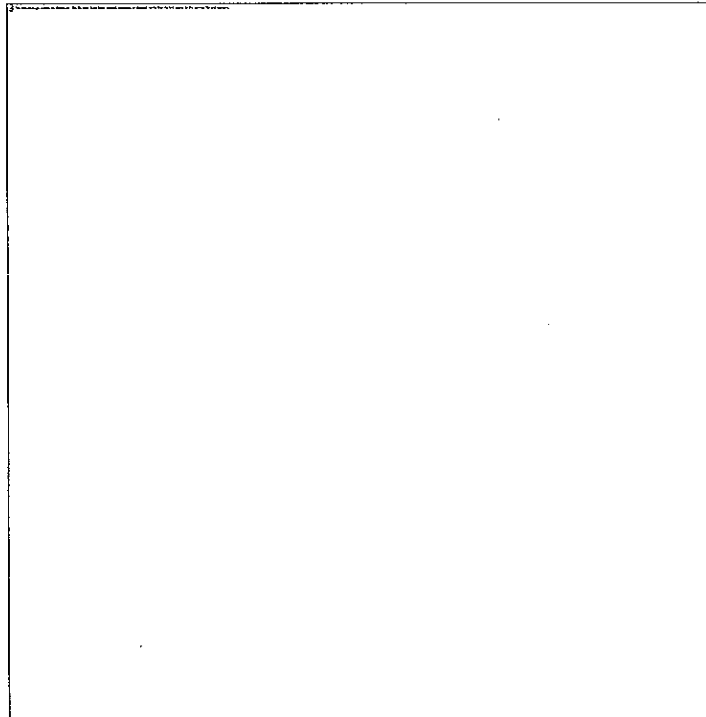
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We look forward to seeing you in 2018!

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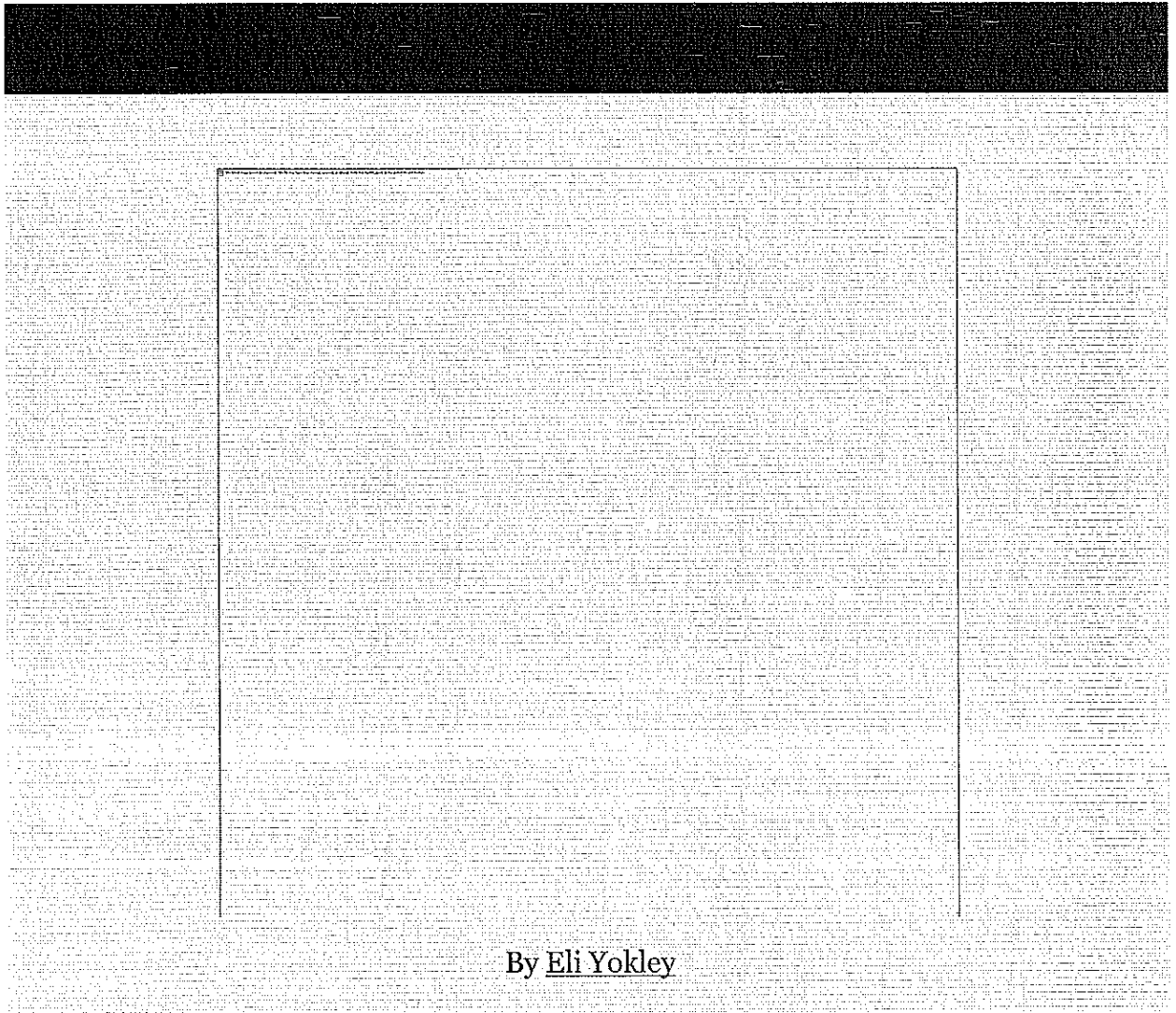
From: Morning Consult

Sent: Monday, January 29, 2018 8:40 AM

To: Rep93

Subject: Morning Consult Washington: Republicans Distance Themselves From Wynn After He Steps Down as RNC Finance Chairman

Attachments: ATT00001.txt; ATT00002.htm



By Eli Yokley

Top Stories

- Republican lawmakers distanced themselves from Steve Wynn following a news report that described allegations of sexual misconduct against the casino mogul. Wynn later stepped down from his post as finance chairman of the Republican National Committee, and Republicans such as House Speaker Paul Ryan (Wis.) said they would redirect his campaign contributions to charities. ([The Wall Street Journal](#))
- Voters most want President Donald Trump to focus on improving the health care system, followed by the economy and creating jobs, when he delivers his first State of the Union address tomorrow night, according to a new poll. Eighty-two percent of registered voters said health care was very important or somewhat important for the president to discuss, up 6 percentage points since a similar survey conducted before former President Barack Obama delivered his final State of the Union address in 2016. ([Morning Consult](#))
- The Trump administration faces a deadline today to begin imposing sanctions on entities doing business with Russia's defense and intelligence sectors, in addition to producing a list of oligarchs with ties to Russian President Vladimir Putin, as required by a bill Trump signed into law in August. The sanctions could be delayed or waived if the administration says Russia has made progress in cutting back its cyber-meddling. ([Politico](#))
- House Majority Leader Kevin McCarthy (R-Calif.) said he does not think "there's a need for legislation right now" to protect Special Counsel Robert Mueller's job, despite a news report that Trump tried to fire him in June. Sen. Lindsey Graham (R-S.C.), who has drafted one of two bipartisan bills that would protect Mueller, said he would be "glad to pass it right now" but suggested there was no

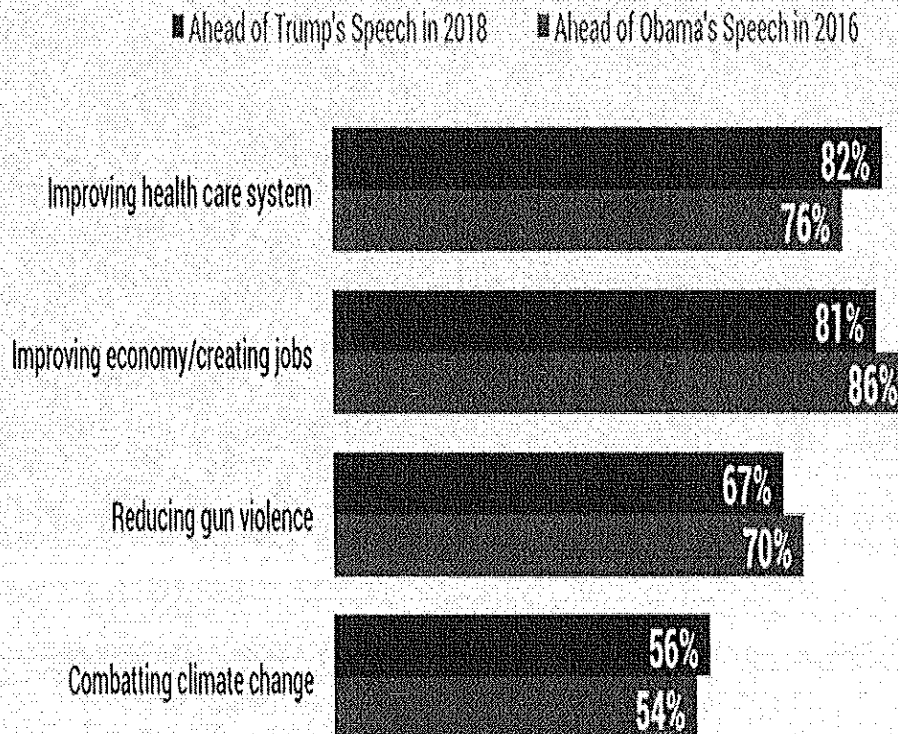
need to do so with "no evidence that Mr. Trump wants to fire Mr. Mueller now." (The New York Times)

Chart Review

What Voters Want to Hear from Trump's State of the Union
Morning Consult

Health Care Rises On Voter Priority List Since 2016 Address

Voters' perceived importance of select issues before SOTU addresses in 2016 vs. 2018



MORNING CONSULT

The 2016 poll surveyed 2,173 registered voters from Jan. 8-10, 2016. It has a MoE of +/- two percentage points. The 2018 poll surveyed 1,994 registered voters from Jan. 18-20, 2018. It has a MoE of +/- two percentage points.

Events Calendar (All Times Local)

MONDAY

- | | |
|--|-----------|
| <u>Internet Education Foundation's State of the Net conference</u> | 8 a.m. |
| <u>Brookings Institution event previewing Trump's State of the Union address</u> | 10 a.m. |
| <u>Washington Post event previewing Trump's State of the Union address</u> | 2:30 p.m. |

TUESDAY

- | | |
|--|-----------|
| <u>Sen. Murray, Rep. Foxx participate in Council for Higher Education Accreditation conference</u> | 7:30 a.m. |
| <u>Sen. Shaheen, Rep. Luetkemeyer participate in Bipartisan Policy Center event financial system</u> | 9 a.m. |
| <u>House Energy & Commerce subcommittee hearing on broadband infrastructure</u> | 10 a.m. |
| <u>CBO director testifies before House Budget Committee</u> | 10 a.m. |
| <u>Treasury's Mnuchin testifies at Senate Banking Committee hearing</u> | 10 a.m. |
| <u>Senate Armed Services subcommittee hearing on Korean Peninsula and U.S. strategy</u> | 10 a.m. |
| <u>EPA's Pruitt testifies at Senate Environment and Public Works Committee hearing</u> | 10 a.m. |
| <u>Senate HELP Committee hearing on reauthorizing the Higher Education Act</u> | 10 a.m. |

House Financial Services subcommittee hearing on how human traffickers use U.S. financial markets

2 p.m.

Senate Foreign Relations Committee hearing on the economic relationship between the U.S., Canada, Mexico

2:30
p.m.

WEDNESDAY

Rep. Bobby Scott participates in Council for Higher Education Accreditation conference

8:30
a.m.

Turkish Heritage Organization event on U.S.-Turkey strategic alliance

1 p.m.

Canadian Foreign Minister Freeland participates in Council on Foreign Relations event on NAFTA

5:30
p.m.

THURSDAY

No events scheduled

FRIDAY

American Enterprise Institute event on bridging the divide between education and employment

9:15
a.m.



The Most Polarizing Brands in America

From the NFL to CNN, here are the brands that divide Democrats and Republicans the most.

General

Steve Wynn Fallout Ripples as Republicans Seek Distance **Kristina Peterson et al., The Wall Street Journal**

Republicans on Sunday worked to distance themselves from Steve Wynn in the wake of a Wall Street Journal report of former employees describing a decadeslong pattern of sexual misconduct by the casino mogul and GOP financial bigwig. The allegations against one of Las Vegas's most powerful figures reverberated in the political world over the weekend, as Mr. Wynn stepped down from his post as Republican National Committee finance chairman.

Republicans Show Little Urgency on Legislation to Protect Mueller **Sheryl Gay Stolberg and Nicholas Fandos, The New York Times**

Republican lawmakers warned President Trump on Sunday not to fire Robert S. Mueller III, but showed little sense of urgency to advance long-stalled legislation to protect the special counsel despite a report that Mr. Trump had tried to remove him last June. "I don't think there's a need for legislation right now to protect Mueller," Representative Kevin McCarthy of California, the House majority leader, said Sunday on NBC's "Meet the Press."

Lawmakers call on Trump to drop bid for legal immigration cuts **David Nakamura, The Washington Post**

Lawmakers in both parties said Sunday that the immigration debate should focus narrowly on efforts to legalize young immigrants known as "dreamers" and beef up border security, suggesting that President Trump's demands to slash legal immigration levels are likely to sink a deal. Democrats have voiced fierce opposition to a White House plan, released late last week, that featured a path to citizenship for 1.8 million

dreamers in exchange for \$25 billion for his border wall and sharp cuts to family immigration visas.

All Signs Point to Big Democratic Wins in 2018
Greg Giroux, Bloomberg

History, demographics and the national mood are pointing to one conclusion about the 2018 congressional races: Democrats are well-positioned to bring one-party government in Washington under Donald Trump's presidency to a screeching halt. There's a confluence of evidence indicating a so-called wave election may be building that would allow Democrats to wrest the House of Representatives from Republican control.

Hillary Clinton Let Him Stay. Women Say His Harassment Continued.
Ruby Cramer, BuzzFeed News

In 2007, while working for the candidate who hoped to be the first female president, a young woman filed a complaint against her boss - the campaign's faith adviser. She described "five kisses on the head" and "excessive tracking" of her whereabouts, among other complaints of harassment, according to campaign documents from the time.

The Plot Against America
Franklin Foer, The Atlantic

The clinic permitted Paul Manafort one 10-minute call each day. And each day, he would use it to ring his wife from Arizona, his voice often soaked in tears.

Presidential

What Voters Want to Hear from Trump's State of the Union
Eli Yokley, Morning Consult

Voters most want President Donald Trump to focus on improving the health care system, economy and creating jobs during his first State of the Union address Tuesday night, according to a new Morning Consult/Politico poll. The survey of 1,994 registered voters from Jan. 18-20 found 82 percent said health care was very important or somewhat important for the president to discuss.

Trump to Test His Base With Bipartisan Call in State of the Union
Justin Sink et al., Bloomberg

Donald Trump's State of the Union address on Tuesday will be one of the president's last, best chances to win over more of the American public to his nationalist agenda ahead of midterm elections that will be a referendum on his tumultuous administration. White House officials say the president will dial back his signature combative posture and instead frame his policy proposals - from immigration to infrastructure - as areas where Democrats and Republicans can work together.

Deadline looms for Trump and Russia sanctions
Elana Schor, Politico

President Donald Trump's willingness to crack down on Russia will be seriously tested come Monday. Trump faces a major deadline to use the Russia sanctions power that Congress overwhelmingly voted to give him - and it's anybody's guess as to whether he'll comply on time after missing the last deadline.

Trump sought release of classified Russia memo, putting him at odds with Justice Department
Ashley Parker et al., The Washington Post

On Wednesday, as Republicans were clamoring to make public a secret document they think will undercut the investigation into Russian meddling, President Trump made clear his desire: Release the memo. Trump's directive was at odds with his own Justice Department, which had warned that releasing the classified memo written by congressional

Republicans would be "extraordinarily reckless" without an official review.

Trump Pick for Chile Ambassador Entwined in Kushner Family Deals

Caleb Melby et al., Bloomberg

When the White House nominated a new ambassador to Chile this month, it touted his role running his father's food-importing business. Not mentioned: his deep financial ties to the family of Jared Kushner.

Pence to headline Trump hotel dinner to raise money for GOP candidates

Alex Isenstadt, Politico

Vice President Mike Pence, looking to buttress his party ahead of what is shaping up to be a difficult midterm election season, will headline a high-dollar fundraising dinner Monday that is expected to net about \$500,000 for his leadership PAC, according to an administration official. The Great America Committee event, to be held at the Trump hotel in Washington, is expected to draw a number of congressional Republicans, including Senate Majority Leader Mitch McConnell, House Majority Leader Kevin McCarthy and House Majority Whip Steve Scalise, the official said.

Senate

Senators want Trump's State of the Union to show 'compassion' toward Dreamers

Seung Min Kim and Rachael Bade, Politico

President Donald Trump's inaugural State of the Union on Tuesday could offer an opportunity for the first-term leader to unify Congress behind a plan to protect the undocumented immigrants known as Dreamers. Instead, the immigration blueprint his administration laid out days before the highly anticipated address is splintering Congress in all directions, with conservatives complaining it provides amnesty for

immigrants who lack legal status and Democrats recoiling from Trump's pitch to restrict legal, family-based immigration.

Rubio fires chief of staff for improper relations with subordinates

Marc Caputo and Henry C. Jackson, Politico

Sen. Marco Rubio has fired his chief of staff after determining he violated office policies regarding proper relations between a supervisor and subordinates. Rubio said in a statement that an investigation concluded his chief of staff Clint Reed engaged in behavior that "in my judgement amounted to threats to withhold employment benefits."

With \$2.4 million haul, Ted Cruz challenger Beto O'Rourke has his biggest fundraising quarter yet

Patrick Svitek, The Texas Tribune

U.S. Rep. Beto O'Rourke, D-El Paso, says he raised more than \$2.4 million over the last three months - his biggest fundraising quarter since he launched his campaign to unseat U.S. Sen. Ted Cruz, R-Texas. The figure was accompanied by a spike in the number of individual contributions that his campaign received - from almost 33,000 in the third quarter to over 55,000 during the most recent period, he said in an interview.

Resolution to nudge Joe Arpaio out of the Senate race withdrawn by Arizona GOP activist

Dan Nowicki, The Arizona Republic

A draft Arizona Republican Party resolution seeking to nudge former Maricopa County Sheriff Joe Arpaio out of this year's GOP Senate primary was withdrawn ahead of Saturday's state party meeting. The resolution, first reported by The Arizona Republic, would have showered Arpaio with praise and "gratitude" before "respectfully" urging the Fountain Hills resident to abandon the Republican race to his rivals, U.S.

Rep. Martha McSally of Tucson and former state Sen. Kelli Ward of Lake Havasu City.

House

GOP's Gowdy says he supports Mueller '100 percent' **Patrick Temple-West, Politico**

A Republican member of the House Intelligence Committee said Sunday he supports special counsel Robert Mueller's investigation into Russia's potential interference in the 2016 election and the Trump campaign's contacts with Russia. Speaking on "Fox News Sunday," Rep. Trey Gowdy said he supports Mueller "100 percent."

Secret Memo Hints at a New Republican Target: Rod Rosenstein **Nicholas Fandos et al., The New York Times**

A secret, highly contentious Republican memo reveals that Deputy Attorney General Rod J. Rosenstein approved an application to extend surveillance of a former Trump campaign associate shortly after taking office last spring, according to three people familiar with it. The renewal shows that the Justice Department under President Trump saw reason to believe that the associate, Carter Page, was acting as a Russian agent.

Pureval tells donors he intends to run for Chabot's seat this fall **Chris Wetterich, Cincinnati Business Courier**

National Democrats probably have landed a big Cincinnati recruit in their quest to take back the U.S. House this year. Hamilton County Clerk of Courts Aftab Pureval requested donors support him if he runs for U.S. Rep. Steve Chabot's, R-Westwood, seat in November and told them he intends to jump in the race.

States

Attorney General Lori Swanson running for re-election, not governor

J. Patrick Coolican, Star Tribune

Attorney General Lori Swanson told supporters Sunday that she is running for re-election, ending months of speculation that she would enter the race for governor. The third-term DFL attorney general had been considered a top contender for her party's nomination for governor.

New York, New Jersey, Connecticut unite to sue government over SALT deduction limit

Joseph Lawler, Washington Examiner

Three blue-state governors in the Northeast announced Friday that they are banding together to sue the federal government over the Republican-passed tax law that limits the deductibility of state and local taxes. "New Yorkers will not stand idly by as the federal government fires an economic missile at the fiscal health of our state," New York Gov. Andrew Cuomo said in announcing the coalition. New Jersey and Connecticut are the other two states.

N.Y. Governor's Protest of Federal Tax Law Faces Some Resistance Upstate

Mike Vilensky, The Wall Street Journal

How will the politics of the new federal tax law play out in high-tax states? It depends where you live.

Advocacy

Koch Groups Move On From Health-Care Fight

Julie Bykowicz, The Wall Street Journal

The billionaire Koch brothers' political organization spent more than \$200 million in the past decade on what official Tim Phillips calls "without question our biggest policy defeat," the quest to kill the Affordable Care Act. Now, the network of donors is turning its attention to the more urgent matter of protecting Republican majorities in both chambers of Congress this fall.

Koch network gears up for the next Supreme Court vacancy
Michelle Ye Hee Lee, The Washington Post

The Koch network is expanding its portfolio into the judicial branch. Americans for Prosperity, the main political arm of the influential network led by billionaire industrialist Charles Koch, announced Sunday that it has hired Sarah Field, former director of state court strategy for the Federalist Society, as vice president of judicial strategy.

Opinions, Editorials and Perspectives

Trump's Call to End Family Migration and the Impact on Families of Color
Sameera Hafiz, Morning Consult

President Donald Trump, along with conservative politicians and groups with deep racist roots, has reignited attacking families through the current Dream Act negotiations and are likely to continue during this week's State of the Union address. Despite publicly espousing family values, they are now calling for an end to family migration, which allows hundreds of thousands of people to be reunited with their families.

Without immigration, America will stagnate
Fred Hiatt, The Washington Post

Message to Republicans: You can be pro-growth. You can be anti-immigration. But, honestly, you can't be both.

Fusion's Russian Dirty Work
The Editorial Board, The Wall Street Journal

Media defenders of Fusion GPS and the FBI are criticizing as friends of the Kremlin anyone who dares raise questions about their behavior during the 2016 campaign. You almost have to admire their loyalty to sources, if not to readers.

The Gathering Threat to Abortion Rights
The Editorial Board, The New York Times

People who care about basic American freedoms should be grateful to the Senate majority leader, Mitch McConnell, for one thing: He has given liberals another good reason to flock to the polls in November. Mr. McConnell is set to hold a procedural vote this week on a bill that would ban abortion at 20 weeks of pregnancy.

Trump abuses show we must turn traditions into laws
Preet Bharara and Christine Todd Whitman, USA Today

One year into the Trump presidency, it's clear that the norms and boundaries traditionally guiding American political behavior have deeply eroded. That matters greatly. A workable democracy can thrive only when there are basic rules, often unwritten, that curb abuse and guide policymakers.

Research Reports and Polling

Poll: Millennials say the country is on the wrong track, but they're not
Stephanie Perry and Andrew Arengue, NBC News

Millennials think things in the country are off on the wrong track but at the same time, they're optimistic about their own futures, according to a

new NBC News/GenForward survey. Nearly two-thirds of millennials (63 percent) think things in this country are off on the wrong track.



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From: Katie McAuliffe - Digital Liberty
Sent: Thursday, February 1, 2018 11:25 AM
To: Rep93
Subject: Oppose Ohio "Net Neutrality" Legislation- Support Title II Repeal

February 1, 2018



Combat Confusion - Title II Repeal Resource

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I understand there may be consideration of some kind of "net neutrality" style legislation in Ohio. **We ask that you oppose any so-called net neutrality legislation.** In the following sections, we have included information as to why these types of bills will be harmful for your state.

In this email you will find:

- **State Bills lead to a segregated internet**
- **Answers to questions about why the FCC repealed Title II regulation of the Internet and what that means**
- **Support for the FCC's Restoring Internet Freedom Order from outside groups with links, including this [coalition letter](#) to Senators and Representatives.**

I hope you find this helpful.

Regards,

Katie McAuliffe
Executive Director, Digital Liberty
Federal Affairs Manager, Americans for Tax Reform
(o) 202-785-0266
kmcauliffe@atr.org

Prevent a Segregated Internet

State legislation is not needed to solve a perceived problem. **Legislation will create an internet segregated at state borders**, and only lead to costly litigation because the internet is inherently interstate commerce.

While legislation intends to protect consumers from blocking and throttling, it creates a larger problem. Having a patchwork of different state laws that apply to the infrastructure that we communicate and do business over, **creates a divided internet where traffic will actually end up treated unequally.**

Since these types of laws have the unintended consequence of disrupting commerce between the states, states passing any version of **net neutrality or Title II laws will face lawsuits costing taxpayers millions.**

Further, these types of **laws will discourage investment in your states internet infrastructure**, slowing the deployment of not only new wired connections and network upgrades, but also 5G deployment.

To prevent a segregated internet, the best federal Open Internet legislation would:

- Give authority to the Federal Trade Commission
- And encompass the following principles:
 - Internet experiences— including content, technology, information, and delivery— should be consumer-driven not government-driven.
 - The role of state and federal governments is to deter fraud, enforce contracts, and arbitrate disputes.
 - Clear, consistent, and limited government maximizes innovation and competition.
 - Reliable internet access encourages and accelerates economic growth and development.

Title II did not achieve the purported goals:

- No blocking, No throttling, No paid prioritization
- The D.C. Circuit Court said that the Title II internet order allowed ISPs to offer filtered Internet access,

There is a federal bill, The Open Internet Preservation Act

- That includes no blocking and no throttling for anti-competitive non-network management purposes

- Transparency requirements
- Gives FCC limited authority
- This bill is okay, but a better bill would place this authority with the Federal Trade Commission
 - uses a case-by-case approach established in precedent rather than a prescriptive regulations that cannot adapt to future technologies
 - considers the full internet ecosystem

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Q&A

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Q: Why is the FCC killing the Internet?

A: This is the same constantly improving and innovating Internet. Nothing died.

- The FCC reinstituted the framework signed into law by Bill Clinton
- We have had 20 years of explosive internet innovation under that framework
- Title II would have put the Internet under utility style laws like the electric grid
 - Utility laws stifle innovation
 - Utility laws are one of the reasons we don't have a smart grid, but we do have smart phones!

Q: Are ISPs going to start charging customers for filtered Internet access?

A: Title II did not stop ISPs from "filtering" Internet access

- The D.C. Circuit Court said that Title II allows ISPs to offer filtered Internet access, & also said that none were doing so because of fear of subscriber losses. Market forces, not the Title II rules, are regulating this conduct.
 - Some people will never accept market forces as a solution, either for broadband or otherwise... Good thing there are and have always been consumer protections at the Federal Trade Commission (keep reading).

Q: What if my ISP tries to block content of a competitor?

A: If an ISP were to advantage its own content over a competitor:

- that would be in violation of competition, anti-trust, or deceptive practice standards. Enforceable by State Attorneys Generals and/or the Federal Trade Commission
 - state consumer protection laws will apply and state attorneys general can bring actions against ISPs

- federal antitrust law will protect against discriminatory conduct by ISPs. As a former Obama Administration FTC Chairman recently said, this is a "formidable hammer against anyone who would harmfully block, throttle or prioritize traffic."
- The Federal Trade is able to police ISPs that engage in unfair and deceptive practices through its consumer protection authority
 - When the FCC classified broadband as a Title II service in 2015, it divested the Federal Trade Commission of 100% of its consumer protection authority over ISPs, including its ability to police ISPs that engage in unfair or deceptive practices. Repealing Title II will restore those important protections for Internet openness.

Q: What about my data privacy?

A: Consumers have regained strong online privacy protections from the Federal Trade Commission.

- Before the FCC stripped it of jurisdiction, the FTC—the nation's most experienced privacy enforcement agency—brought over 500 privacy enforcement actions, including against ISPs. By reversing Title II, consumers get those privacy protections back.

Q: Will ISPs start censoring content?

A: Your ISP has not and will not censor content

- **Content censorship is more likely to come from:**
- Governments - think Arab Spring and short term internet shut downs during that time, or general political censorship in China (more on government censorship below)
 - Platforms that moderate what users post based on policies, terms, and agreements for using the platform, app or service.
 - Also, slower loading pages are more likely caused by the number of advertisements, images, or videos loading in side bars
- **Governments Censor & Title II gave the Government more control over the Internet Infrastructure**
 - Outside of the US, there were 81 short-term internet shutdowns that occurred in 19 countries between July 1, 2015 and June 30, 2016
 - During that time: India lost \$968 million from internet shutdowns, Saudi Arabia lost \$465 million, Morocco lost \$320 million, Iraq lost \$209 million, Brazil lost \$116 million, and the Republic of the Congo lost \$72 million
 - Governments are willing to take financial hits to maintain power, especially when they can always raise more money from taxpayers
 - Companies want to make money
 - they may experiment with new business models, but if consumers don't like it, they quickly stop
 - Blocking or filtering content will cause them to lose subscribers.

Q: If Title II didn't prevent blocking or filtering, and there were already protections at the FTC, then why did the FCC pass new "net neutrality" rules?

A: The FCC wanted to expand its own jurisdiction.

- With most communications moving online, the FCC is becoming increasingly obsolete. The only real way to ensure its future existence (and power) was to expand its jurisdiction.
- The 1996 Telecommunications Act did not give the FCC authority over the internet
- The FCC did some creative interpreting of the law to expand its own jurisdiction into an area already covered by another agency, the FTC
- We don't need duplicative regulation and authorities - that's costly to innovation and to taxpayers
- The FTC has authority to punish bad actors. If Congress thinks there should be additional authority, then Congress should pass legislation. The FCC and FTC are creations of Congress and should only within the bounds that Congress gave them.

Q: What Now?

A: Its time for Federal Legislation

- Anyone pushing litigation over legislation is missing the point
- "Net Neutrality" has been pinballing through the FCC and the Courts for far too long.
- The FCC lost its cases in 2010 and 2012. And don't forget that the FCC's 2015 Title II Order could still be taken up by the Supreme Court over the legal question Chevron deference - or whether courts should defer to agencies when agencies grant themselves power

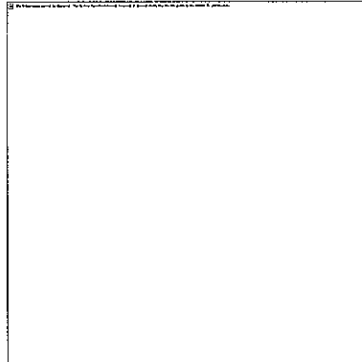
Free Market Open Internet Principles:

- Internet experiences—including content, technology, information, and delivery—should be consumer-driven not government-driven.
- The role of state and federal governments is to deter fraud, enforce contracts, and arbitrate disputes.
- Clear, consistent, and limited government maximizes innovation and competition.
- Reliable internet access encourages and accelerates economic growth and development.

Articles & Statements of Support for Title II Repeal

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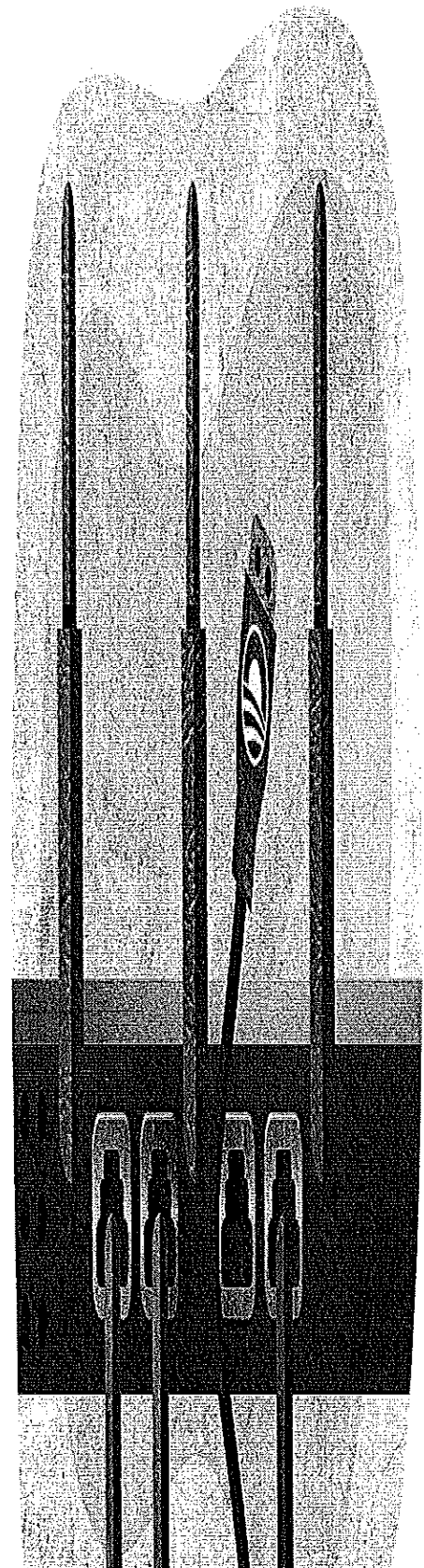


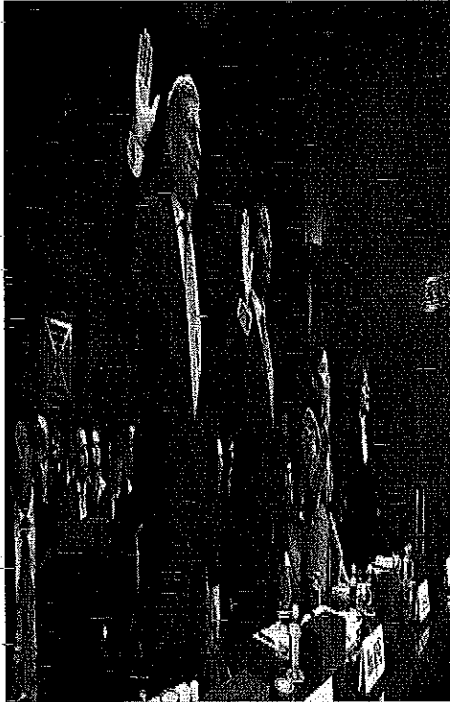
Coalition to Congress: Stop Democrat Efforts to Control...

Today Americans for Tax Reform, along with a number of center-right organizations, sent a letter to members of the House and Senate opposing usage of the Congressional Review Act to overturn the Federal Communications Commission's (FCC) Restoring ...

[Read more](http://www.atr.org)
www.atr.org

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Everybody Calm Down About Net Neutrality

The FCC's vote this week only restores power to the Federal Trade Commission, whose record is strong.

[Read more
www.wsj.com](http://www.wsj.com)

Restoring a light touch to FCC internet regulations

Over the last two weeks, there has been a vigorous debate about internet regulation. Under the plan I recently proposed, the Federal Communications Commission (FCC) would restore internet freedom by rolling back heavy-handed government...

[Read more
www.washingtontimes.com](http://www.washingtontimes.com)



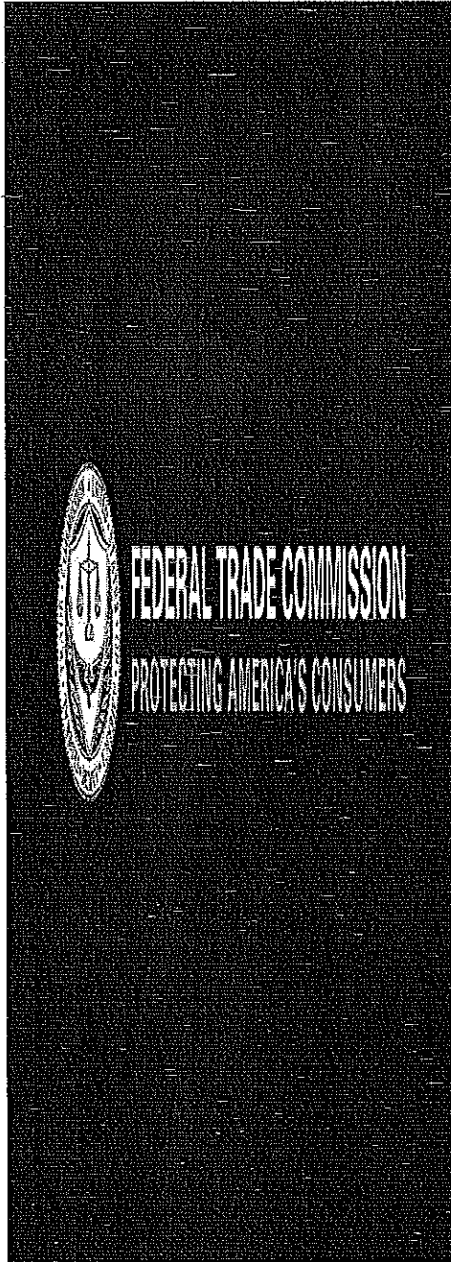
The destiny of telecom regulation is antitrust

This week the FCC will vote on Chairman Ajit Pai's Restoring Internet Freedom Order. Once implemented, the Order will rescind the 2015 Open Internet Order and return antitrust and consumer protection enforcement to primacy in Internet access...

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truthonthemarket.com](http://truthonthemarket.com)

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FCC votes to Restore Internet Freedom



Americans for Tax Reform released a letter in support of S. 2222 which will expand 529 savings accounts to include apprenticeship programs. This legislation will help bring more job opportunities to young Americans. The full letter can be found...

[Read more](http://www.atr.org)
www.atr.org

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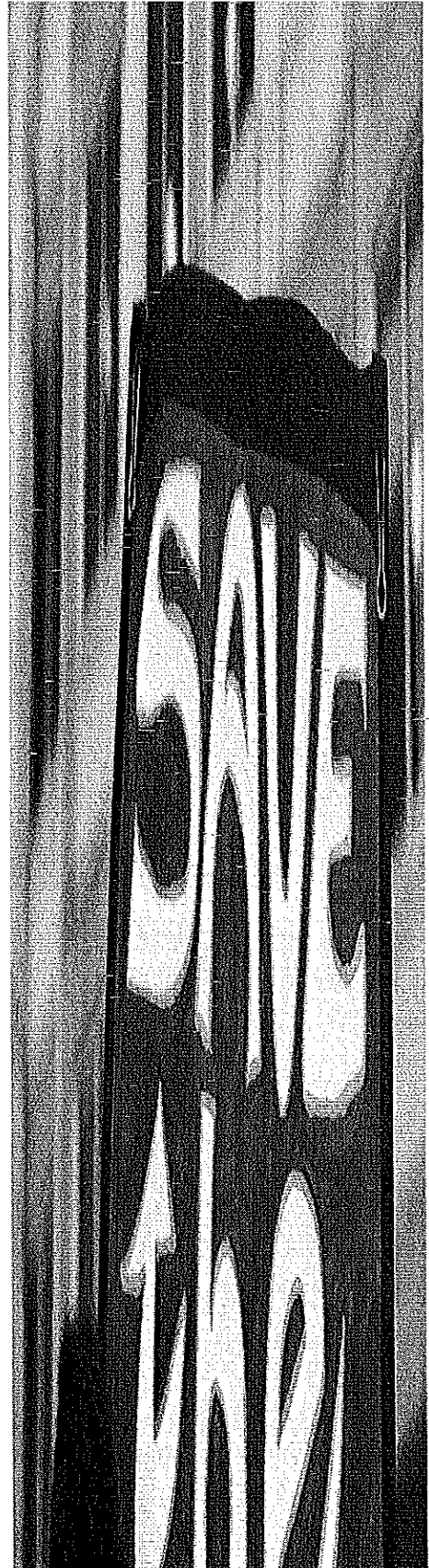
FTC, FCC Outline Agreement to Coordinate Online Consumer ...

The Federal Trade Commission and Federal Communications Commission (FCC) announced their intent to enter into a Memorandum of Understanding (MOU) under which the two agencies would coordinate online consumer protection efforts following the...

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www.ftc.gov



The Internet Is Free Again



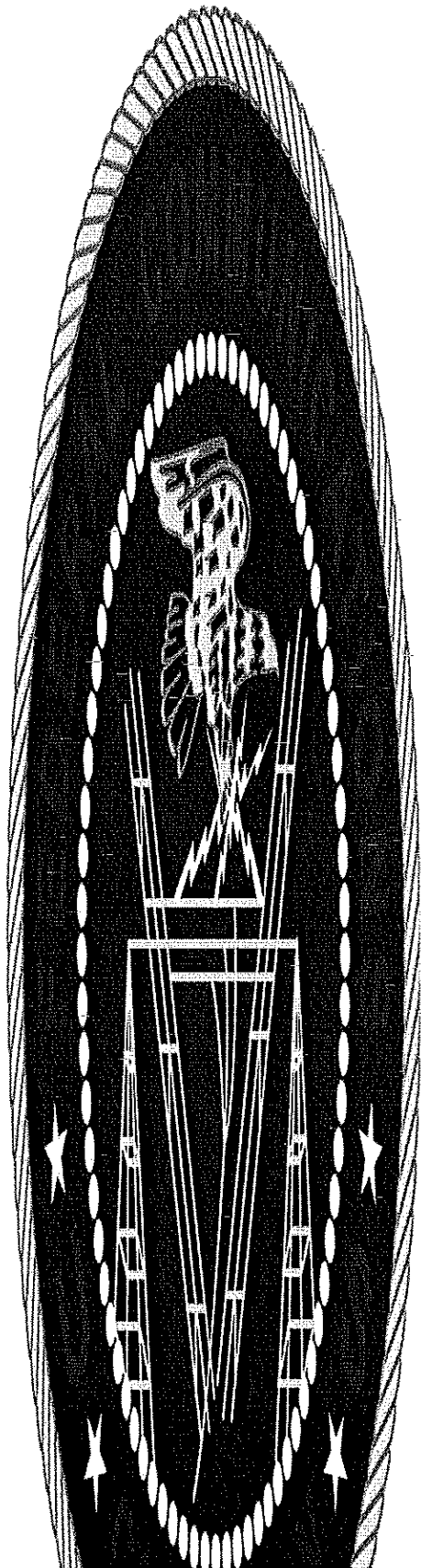
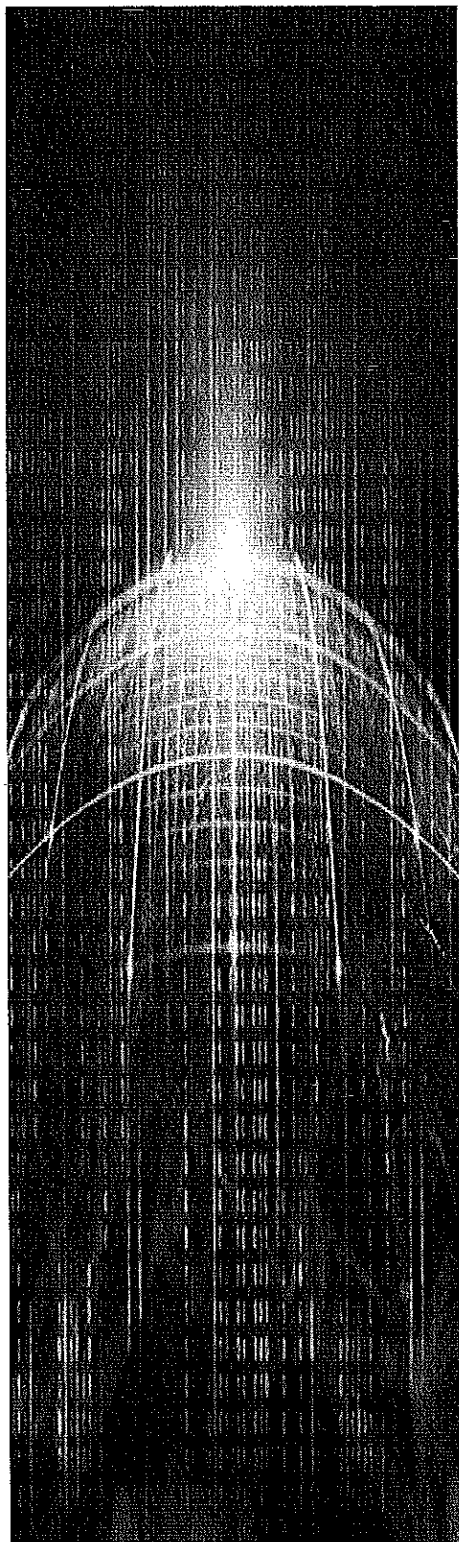
Killing Obama-era rules will remove the FCC as political gatekeeper.

[Read more
www.wsj.com](http://www.wsj.com)

No, the Internet is not about to be destroyed

CLOSE Worries that web providers will ruin access are unfounded. They have every incentive to offer their customers maximum access to Internet services. The headlines regarding the Federal Communications Commission's upcoming vote on "net..."

[Read more
www.usatoday.com](http://www.usatoday.com)



AFP: FCC Vote to Repeal Net Neutrality Will Restore...

Arlington, Va. - Today, Americans for Prosperity commended the Federal Communications Commission (FCC) for voting to repeal Obama-era internet regulations, which improperly classified the internet as a Title II telecommunications service under...

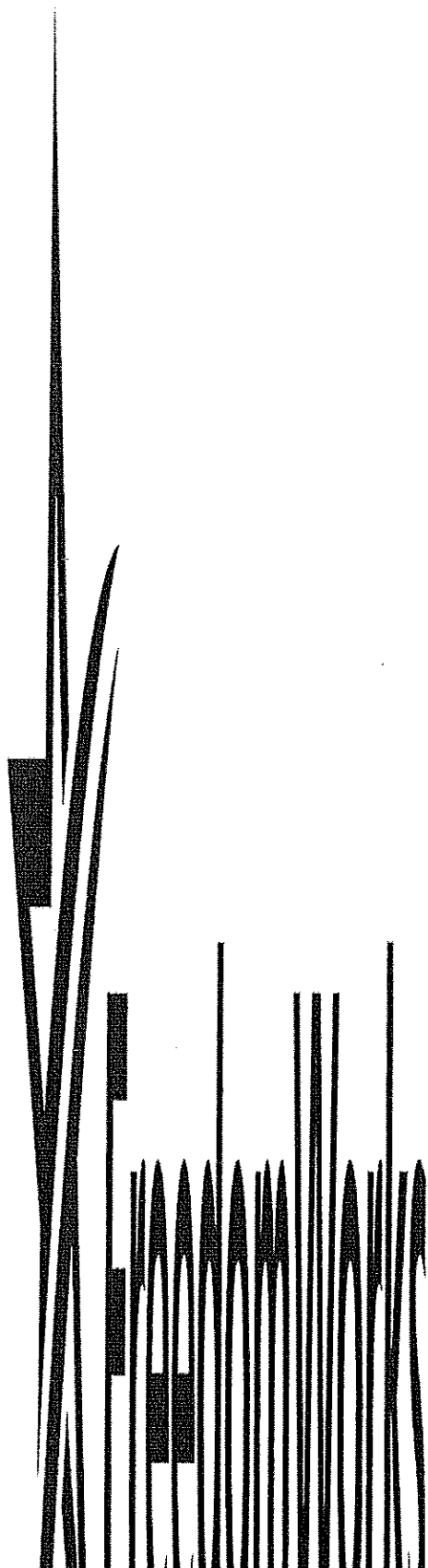
[Read more](#)
americansforprosperity.org

FCC Votes to Put the Consumer Back in Charge of the...

Today's vote at the Federal Communications Commission (FCC) puts individual consumers back in charge of their internet experience. The vote rolled back a 2015 Order reclassifying the internet as a 1930s telecommunications utility and restored the ...

[Read more](#)
www.alec.org

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FreedomWorks Hails the Passage of the Restoring Internet ...

Today the Federal Communications Commission (FCC) voted to enact the Restoring Internet Freedom Order, reversing regulation of Internet service providers (ISPs) under Title II of the Communications Act of 1934 and returning to a Title I framework ...

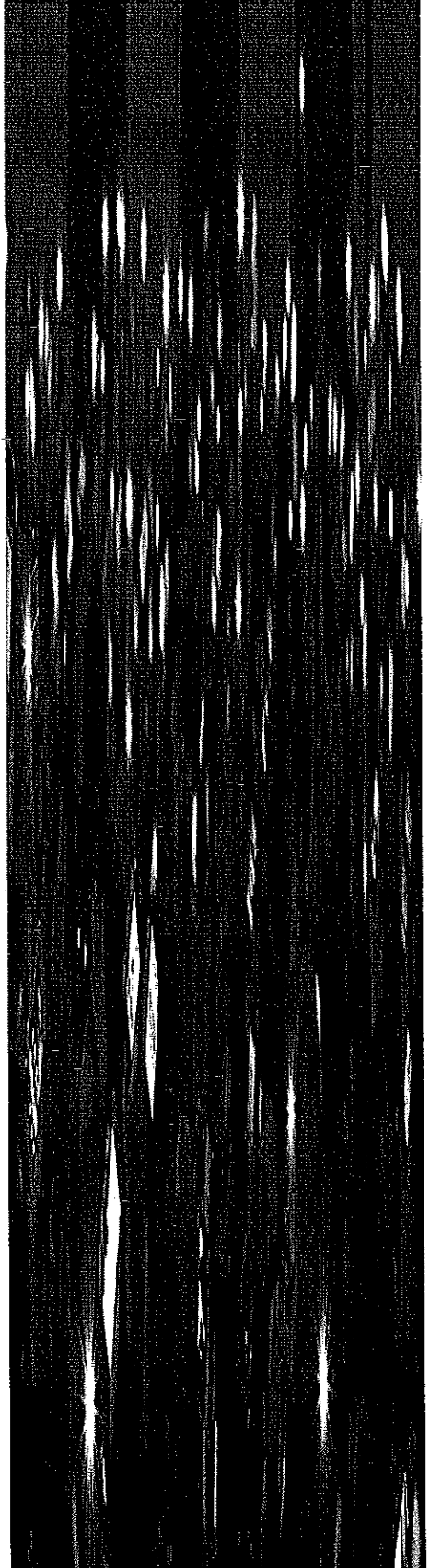
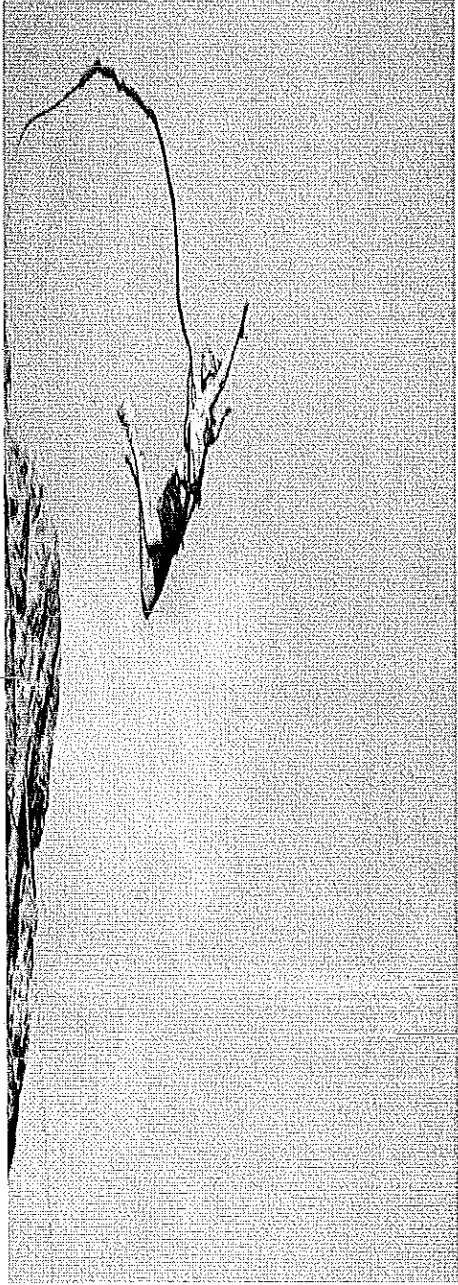
[Read more](#)
www.freedomworks.org

The FCC Just Voted to Roll Back Obama-Era Net Neutrality ...

The Federal Communications Commission (FCC) voted on a party line vote today to rescind the net neutrality rules passed by the agency under President Obama. Two Republican-appointed commissioners joined agency Chairman Ajit Pai in a 3-2 vote to...

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reason.com

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Dear Aunt Sadie, Please Step Back From The Net...

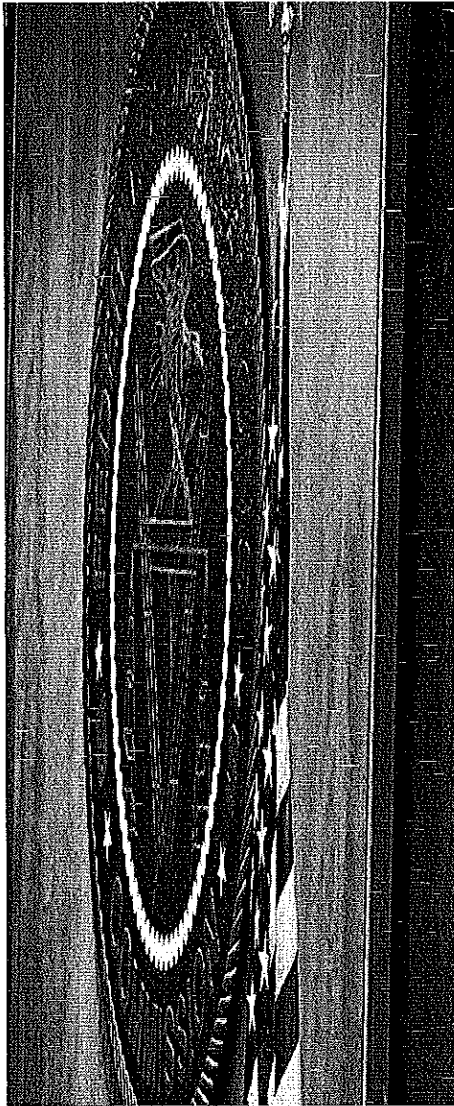
In the 25 years I've been toiling in the mines of tech policy, I've developed what I call the Aunt Sadie test. Most of the issues I research and write about are woefully technical, legal, economic and boring; of interest to more and more people...

[Read more](http://www.forbes.com)
www.forbes.com

Global economy loses billions from internet shutdowns

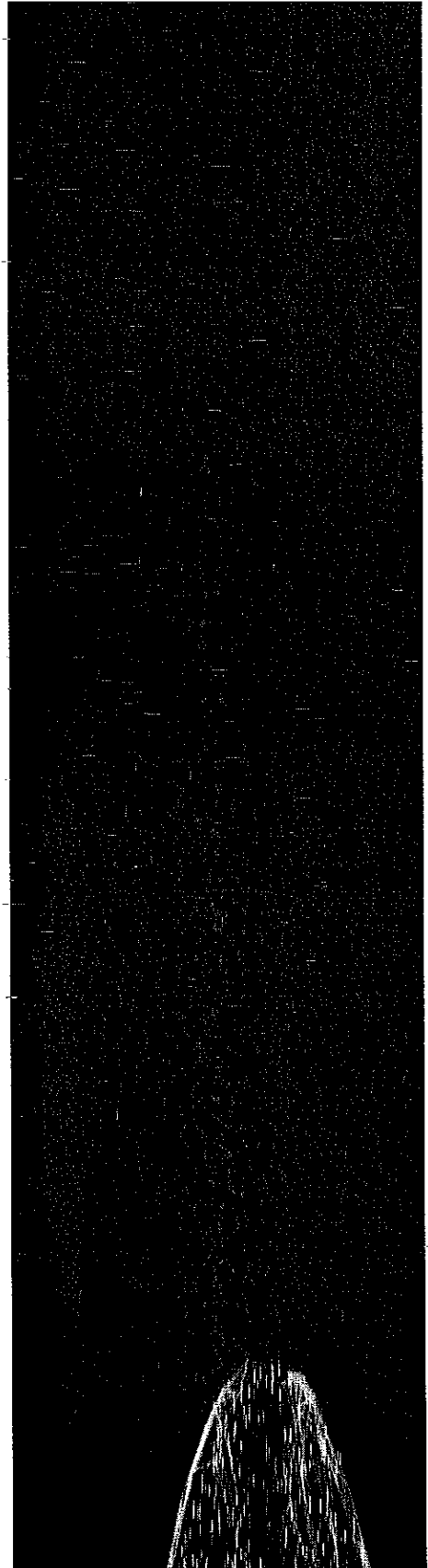
This past June, the United Nations Human Rights Council passed a non-binding resolution condemning the intentional shutdown or disruption of domestic internet access. Despite the support of many me...

[Read more](http://www.brookings.edu)
www.brookings.edu



The FCC's defining case for repealing internet regulations

The expected blizzard of social media and online commentary has followed the FCC's announced proposal to repeal public utility



regulation it imposed on broadband Internet access back in 2015. Yet much of the online chatter ignores the legal issue

...

[Read more](#)
thehill.com

CEI Responds to FCC Repeal of Net Neutrality Regulations

Competitive Enterprise Institute's Ryan Radia responded to the Federal Communications Commission's vote today to repeal net neutrality regulations: "Today's FCC vote to restore Internet freedom is a victory for consumers. Building the networks of ...

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cei.org

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Digital Liberty

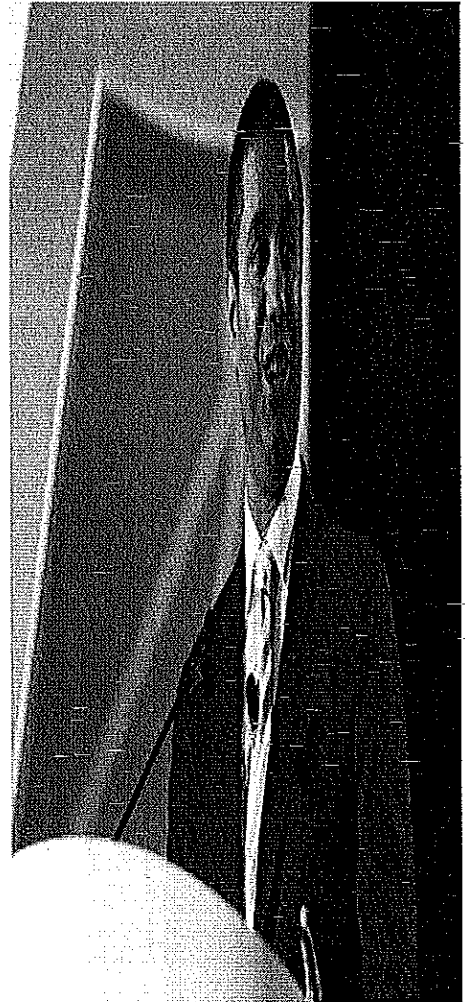
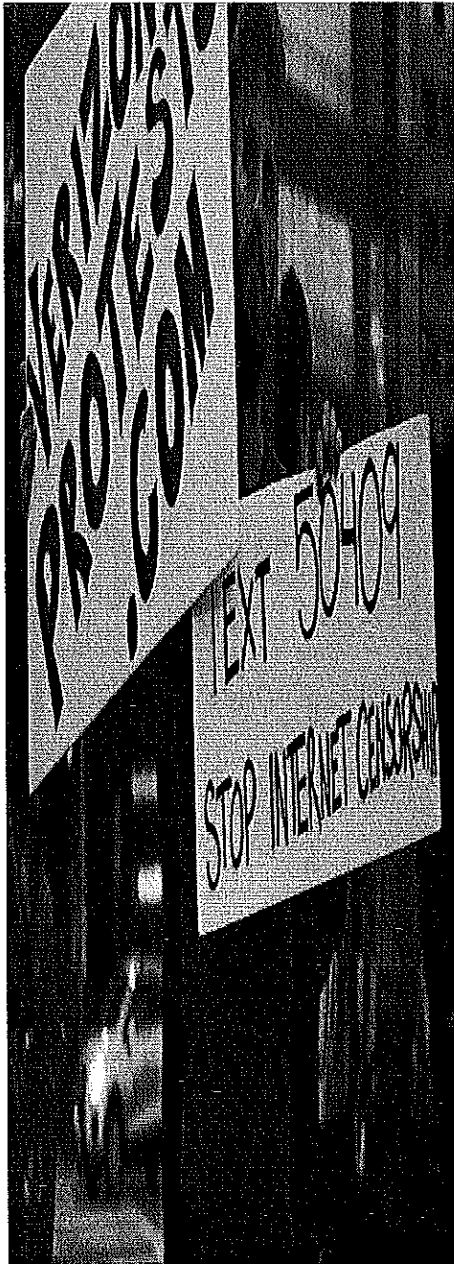
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Internet Freedom Survives Cyber Bullies | Digital Liberty

Digital Liberty advocates for a consumer-driven market free from heavy regulation or taxation of the Internet, technology, telecommunications, video games, and media. We believe that free markets and consumer choice - not bureaucrats - should...

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www.digitalliberty.net

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Citizens Against Government Waste Cheers FCC's...

For Immediate Release Contact: Curtis Kalin 202-467-5318 December 14, 2017 (Washington, D.C.) - Today, Citizens Against Government Waste (CAGW) President Tom Schatz released a statement following the approval of the landmark Restoring Internet...

Debunking the Left's Myths on Net Neutrality

The end of the world is nigh. That at least is the message being spread by last-ditch defenders of the Obama-era "network neutrality" rules, which Federal Communications Commission Chairman Ajit Pai has scheduled for elimination later this month. ...

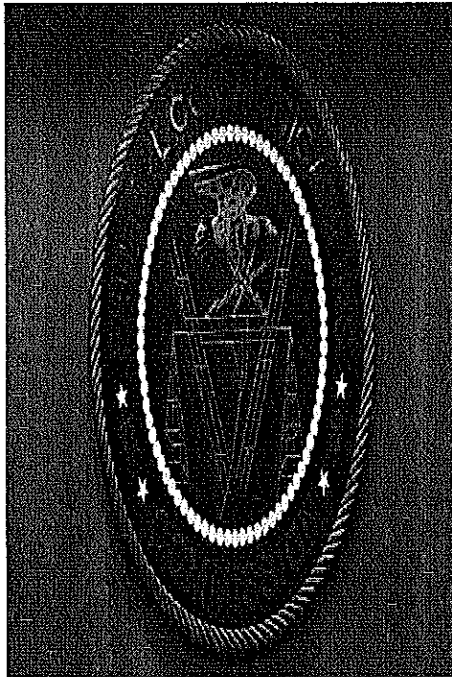
[Read more](#)
www.heritage.org

[Read more](#)
www.cagw.org

ACU Praises FCC Chairman Ajit Pai's Unwavering Resolve...

WASHINGTON DC - The American Conservative Union (ACU) applauds Federal Communications Commission (FCC) Chairman Ajit Pai for his decision to end Obama-era regulations imposed on the internet and restore internet freedom. Chairman Pai has faced a...

[Read more](#)
conservative.org



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On net neutrality and the competition solution: a Q&A - AEI

Given the FCC's regulatory rollback decision on net neutrality, I thought it might be a good time to re-up some of my podcast interview with Brent Skorup, a research fellow in the technology policy program at the Mercatus Center at George Mason...

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Katie McAuliffe | Americans for Tax Reform | 202-785-0266 | kmcauliffe@atr.org | www.atr.org

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Try it free today

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Subject: 20 States Are Currently Considering 49 Article V Bills

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STATE LEGISLATORS
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Newsletter - Edition 61 February 2018
Providing Article V / Federalism News and Scholarly Resources Since 2013

This month...

- **This Newsletter Includes a Comprehensive Review
of
Article V Efforts One Month into 2018
Legislative Sessions**

BUT FIRST...

- **New Book
Debunks 'We
Don't Know How Conventions Work' Claim**

- Numerous Writers Express Support for a Constitutional BBA
- Candidates for Federal Offices Promise Support for a BBA
- First Guldenschuh Article V Progress Report of 2018

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Book Debunks ‘We Don’t Know How Conventions Work’ Claim –

A new book has just been released that sheds much needed light on the forgotten history of an American tradition: conventions of the states. It is a must-read for legislators (state and federal) and by citizen activists who care about correcting the shortcomings of the federal government.

The book, by retired business executive Michael Kapic, is titled ***“Conventions That Made America... A Brief History of Consensus Building”***. The 105-page book covers notable government-related conventions over the past 3+ centuries. It is intended to be used by decision-makers and legislators with little reading time.

Mike says *“[T]he founders gifted us with a way to solve today’s problems when they installed Article V in the Constitution. But they also assumed we’d still be using the vehicle of that era to implement it. The problem is that most American’s today don’t know the long and storied history of our American problem-solving process.”*

He notes that *"The tales of our conventions is not well known outside of the historical and scholarly community and not readily reachable or easily readable by the public. That has resulted in patriots who recognize the country's dilemma, but don't understand that the method for fixing it has been used many times in our history."*

Michael Farris, co-founder of the Convention of States Project says, *"This book is compiled from scholars and organizations original sources and shows the administration of the more notable conventions. It attests to the validity of a tried, workable, and safe method for the people and their states to safe-guard their Constitutional government."*

Arizona State Representative Anthony Kern says, *"Historical and informative, this book removes any doubt, fear, or confusion regarding the need to call for an Article V Convention."*

"Mike Kapic's book thwarts one of the primary arguments against calling a convention: that we don't know the rules and the process is uncertain," says author and Constitutional lawyer Dustin Romney. *"It demonstrates that we know the general rules and we know the process."*

Lauding the new book, Arizona State Representative and Majority Whip Kelly Townsend says, *"One of our top priorities is educating the public, as well as government officials, about previous conventions that have taken place."*

This timely presentation allows the reader to quickly review America's history of solving problems that federal legislatures and politicians could not. This is the history of the origins of Article V and how the states can repair what's broken in DC. The author noted that, *"It is time to bring back this genuine, proven, and safe American tradition so the people and their states can take control of their government again."*

The book is available in print and for Kindle from Hunt for Liberty by clicking [HERE](#).

Numerous Writers Express Support for a Constitutional BBA –

Under the headline ***"Balanced Budget Amendment Needed Now"***, respected syndicated columnist George Will makes a strong case that a Constitutionally-mandated federal fiscal restraint is critical.

He says, *"The federal debt held by the public was 39 percent of GDP 10 years ago; it is 75 percent today. Before last month's tax changes, the debt was projected to reach 91 percent in 10 years. No one knows if the tax changes will hasten this; no one should assume that they will not. No one knows at what percentage the debt's deleterious effect on economic growth becomes severe; no sensible person doubts that there is such a point."*

His column was initially carried in the **Washington Post**, and was re-published in the **Albany (NY) Democrat-Herald**, **The Mercury News** (San Jose, CA), **SouthCoast Today**, (New Bedford, MA), **The News-Banner** (Bluffton,

Indiana), and the **Denver Post**. The entire column can be read [HERE](#).

The January 11 edition of **National Review** carried a recent speech by Christopher C. DeMuth, former president of the American Enterprise Institute. DeMuth focused on the need for a balanced budget amendment.

He said, "For most of American history — from 1789 through the late 1960s — we did adhere to a balanced-budget rule through broad, bipartisan consensus. Regular government operations were held to a balanced budget; borrowing was limited to wars, other emergencies, and investments such as territorial expansion and transportation; and incurred debts were paid down diligently."

"But our now-gargantuan public debt is largely the result of routine borrowing for current consumption. This is certainly unsustainable and likely to lead to serious grief before long. But it is also a big problem right now. It is corrupting the relationship between citizen and government, and it is leaving us poorly prepared to respond to big emergencies when they arrive, as inevitably they will. American politics is at its best when responding to big, ambitious, unifying challenges. I conceive of a campaign for a balanced-budget amendment as such a project — focused on public education about the perils of our current practices, and calling for a secular reawakening." 0

Read DeMuth's entire speech [HERE](#).

Heartland Institute's staffer Jesse Hathaway wrote an op-ed piece for **DailyCaller.com** entitled ***"Here's How State Legislators Can FINALLY Fix the National Debt In 2018"***.

His prescription? *"This would best be accomplished with the passage of a state-led federal balanced budget amendment."*

Hathaway points out, *"Although Congress seems content to merely talk about this problem, state lawmakers have the ability to fix Washington, DC, by forcing Congress to adopt an amendment mandating a balanced budget. This would help restore state legislatures' role as masters of the federal beast, putting people and the states back in charge of public servants in the national government."*

He says, *"Congressional leaders have flirted with balanced budget amendments since 1936, but they have never succeeded, or even come close, to actually passing such a requirement using the normal top-down method. But where the federal government has failed, state lawmakers have taken control in recent years, with many states choosing to pass legislation calling for an Article V convention."* Read Hathaway's article [HERE](#).

During January **The Hill** carried an op-ed by Jenny Beth Martin, chairman of Tea Party Patriots Citizens Fund, entitled “**A 2018 agenda for President Trump**”.

Ms. Martin offered seven suggestions. One of which was, *“enact a balanced budget amendment: For too long, the federal government has had a spending problem.... It’s time to finally put some restraint on politicians in Washington, D.C., by using the bully pulpit of the presidency to get Americans on board with forcing Washington to live within its means, just as the rest of the country must.”* Read her op-ed [HERE](#).

Candidates for Federal Offices Promise Support for a BBA –

Many campaigns for the 2018 elections are well underway. Here are some examples of how increasing public support for a BBA and a term limits amendment are impacting positions taken by candidates for federal offices.

South Carolina Congressman Joe Wilson says *“We must protect our children’s future by reining in Washington’s out of control spending. I have consistently supported a balanced budget amendment to the Constitution...”*

In announcing his candidacy for a Pennsylvania Congressional seat, Art Halvorson said he supports *“term limits on Congress, ... and the Balanced Budget Amendment...”*

New Hampshire Congressional candidate Mark Hounsell has announced that

he supports a balanced budget amendment, saying the birth of his granddaughter this past November opened his eyes *"even-further to the need to continue in our efforts to leave the world a better place."*

In announcing his candidacy for the US Senate from Nebraska, Todd Watson promised *"to cut federal spending, (and) balance the budget."*

Todd McKinley announced his candidacy for Tennessee's First Congressional District by telling the local newspaper that *"he is in favor of a balanced budget amendment..."*

Minnesota State Rep. Jim Newberger is running for a seat in the US Senate. Newberger is very vocal in his support for a BBA and is demonstrating his support by trying to lead the Minnesota legislature to adopt a resolution calling for a BBA-focused Article V convention.

First Guldenschuh Article V Progress Report of 2018 –

The ***Article V Convention Legislative Progress Reports***, produced regularly by Georgia attorney David Guldenschuh have resumed with the start of the 2018 state legislative season. His one-page reports quickly summarize the status of each active Article V campaign.

The February edition of Guldenschuh's Report was not ready at press time, but it will be posted at <http://articlevcaucus.com/progress-report-on-article-v-efforts/> by Tuesday, February 6.

A Comprehensive Review of Article V Efforts

One Month into 2018 Legislative Sessions –

Now that 2018 legislative sessions are underway, state legislators are beginning to file bills meant to lead to an Article V state-led convention to propose one or more Constitutional amendments. Thirty-four similar applications are required to trigger an amendment-proposing convention.

Balanced Budget Amendment Task Force (BBATF). This campaign, seeking to insert a federal fiscal responsibility provision into the US Constitution, currently has 28 states supporting its single-subject application. Here is their current activity:

Maine: HJR1251 was introduced on January 25 by Rep. Nathan Wadsworth, Rep. Norman Higgins and Rep. Steven Stanley as a bipartisan bill.

South Carolina: HCR3473 has Rep. Peter McCoy as primary sponsor has one additional co-sponsor. It was introduced in January 2017 and was referred to the House Judiciary Committee. SCR547, introduced in March 2017, has Senator Shane Massey as primary sponsor and 6 co-sponsors. Both bills are believed to be alive.

Virginia: SJR26 was filed on January 4 by Senator Emmett Hanger. It has been referred to the Rules Committee. SJR11, a similar measure, was offered on January 10 by Senator John Cosgrove.

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Washington State: HJM4017 was introduced on January 19 by Rep. Cary Condotta and 5 co-sponsors. The bill has been referred to the State Government, Elections & Information Technology Committee.

BBATF also has efforts underway in Idaho, Kentucky, and Minnesota:

Convention of States Project (CoSP). So far 12 states have adopted the CoSP application for a convention to propose its recommended three-subject proposals. Here is their current activity:

Idaho: HCR32 was introduced on January 26 by the House of Delegates State Affairs Committee. This bill varies from other currently adopted CoSP measures in that it does not support a term limits element. The bill is currently pending in the House Judiciary, Rules & Administration Committee.

Iowa: HJR12, SJR8, and SSB1110 were all introduced in March 2017 by the House of Delegates and Senate Judiciary Committees. HJR12 was approved in the House by a vote of 58 to 38 last March. SJR8 was voted out of a sub-committee on January 24. These bills all vary from other currently adopted CoSP measures in that they do not support a term limits element.

Illinois: HR110 was introduced in February 2017 with Rep. Robert Martwick as the primary sponsor, along with 6 co-sponsors. It was referred to the Rules Committee.

Kentucky: HJR81 is sponsored by Rep. Regina Huff. Introduced January 19, it has been referred to the House Elections, Const. Amendments & Intergovernmental Affairs Committee.

Maine: HJR1232 was introduced on January 16 by Rep. Nathan Wadsworth and Rep. Stephen Stanley as a bipartisan bill. It has been referred to the Committee on State and Local Government. A hearing is scheduled for February 7.

Maryland: SJR8 was introduced on January 25 and received a first reading before the Education, Health, and Environmental Affairs Committee. Senator Gail Bates is the primary sponsor, and there are 13 co-sponsors.

Michigan: HJRV was introduced in September 2017 with Rep. Lee Chatfield as the primary sponsor. It has 17 co-sponsors and has been referred to the Committee on Government Operations.

Minnesota: HB2690 with Rep. Duane Quam as primary sponsor has 11 co-sponsors. It was introduced in May 2017 and has carried over. It is currently in the Government Operations and Elections Policy Committee.

Nebraska: LR6 was introduced in January 2017 with 12 sponsors, including Senator Steve Halloran. A co-sponsor was added on January 16, 2018.

New Hampshire: HCR10 with Rep. Scott Wallace as prime sponsor and Rep. Marc Abear as co-sponsor was introduced on January 3. It has been referred to the House State-Federal Relations and Veterans Affairs Committee.

New Jersey: SCR28 was introduced on January 9 by Senators Joseph Pennacchio, Michael Doherty and 4 co-sponsors. ACR73 is the House version of this bill with 3 sponsors and 6 co-sponsors.

Ohio: SJR1 was introduced in 2017 by Senator Matt Huffman and 3 co-sponsors. It was referred to the Government Oversight and Reform Committee and appears to still be active. HJR2 is a companion House bill introduced by Rep. Christina Hagen, Rep. Bill Patmon and 12 co-sponsors.

South Carolina: SJR878 with Senator Shane Massey as primary sponsor has 11 co-sponsors. It was introduced on January 9 and was referred to the Senate Judiciary Affairs Committee. A similar bill, SCR86, was introduced in January 2017 with Senator Lawrence Grooms as sponsor and 12 co-sponsors. That bill appears to still be alive, but inactive. A related bill, HJR3233, was also introduced in 2017 and still appears to be alive. It shows Rep. Bill Taylor as primary sponsor and has 32 co-sponsors.

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South Dakota: SJR3 was introduced on January 22 with Senator Richard Curd and 22 co-sponsors. It has been referred to the Senate State Affairs Committee.

Washington State: HJR4006 with Rep. Jesse Young as primary sponsor has 14 co-sponsors. Introduced on January 8, the bill has been referred to the House State Government Committee. Companion measure SJM8003 was introduced on January 19. It has been referred to the Senate State Government, Tribal Relations & Elections Committee.

CoSP reports that it now has 3.1 million citizen supporters. The group also has efforts underway in Virginia.

Compact for America (CfA). CfA has a single-subject proposed Constitutional amendment: a BBA. Its approach varies from the above two campaigns in that it involves a formal compact between states to support a specifically-worded proposed amendment. Five states have signed onto the compact.

Just before deadline Chip DeMoss, CEO of the CfA effort sent the following information.

"Our prime focus is on working with the Administration to hold a White House Summit on the role of the states in bringing fiscal responsibility to DC. We would bring key state legislative leaders and strategic partners to the event. We have had two key meetings already with Administration officials and have received a good reception. We have outlined some next steps and are awaiting further response. All of this is designed to ultimately allow for the passage of the Compact activating resolution in Congress. Passage would be a big incentive to the states to get the job done."

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"We are working in six legislatures currently on passage of the Compact bill. The current approach is for the Compact Commissioners to deal directly with legislative leadership. That approach appears to be working for now. The Commissioners have requested that we keep these states confidential for the time being until the bills have been filed."

US Term Limits (USTL). Two states (Florida and Alabama [see below]) have adopted resolutions supporting the single-subject objective of this group: term limits for members of Congress. This organization has finally started to move forward. Here is where they are currently active:

Alabama: HJR23 was introduced on January 9 with Rep. Kerry Rich-with 31 co-sponsors. A couple days later the Alabama House unanimously (both Republicans and Democrats) approved the measure. On January 25 the Alabama Senate concurred, formally adopting this Article V application.

Arizona: HCR2024 was introduced on January 25 by Rep. Darin Mitchell and 6 co-sponsors as a bipartisan bill.

Georgia: SR195 was introduced during March 2017 with 6 prime sponsors and 8 co-sponsors. Shortly after introduction the Senate approved the measure by a vote of 31 to 19. It is currently pending in the House Rules Committee. The companion House measure, HR217 also has 6 prime sponsors, but also languishes in the House Rules Committee.

New Hampshire: HCR12 was introduced on November 3, 2017 by Rep. Scott Wallace with 3 co-sponsors. It has been referred to the House State-Federal Relations and Veterans Affairs Committee.

South Carolina: HCR3567 with Rep. Eric Bedingfield as primary sponsor has 6 co-sponsors. The bill was introduced in February 2017. SCR545 with 2 sponsors was introduced in March 2017. Both bills were referred to their respective Judicial Committees, and both bills appear to be alive.

USTL is also currently active in Alaska, Colorado, Maine, Maryland, Missouri, Pennsylvania, Tennessee, Texas and Utah.

Campaign Finance-related Article V Measures – Early on these efforts were spearheaded by a group calling itself Wolf-PAC. It is no longer clear who is leading this growing campaign which generally seeks a Constitutional amendment principally aimed at overturning the Supreme Court's Citizens United decision. Here are the current states considering resolutions on the same general topic:

Iowa: SJR5 was introduced in February 2017 by Senator Joseph Bolkcom and one co-sponsor. SJR8, similar to SJR5, was introduced on January 9 showing the Senate State Government Committee as the sponsor. HJR8 was also introduced in February 2017 by Rep. Liz Bennett and 6 co-sponsors. Both bills appear to still be alive. These bills deal with proposing Campaign Finance Reform. A related bill, HJR12 was introduced in April 2017 showing the House of Delegates Judiciary Committee as the sponsor.

Maine: SJR667 was introduced on January 16 by two Senators and two Reps. The bill applies for an Article V convention to propose an amendment "to restore free and fair elections".

Maryland: SJR7 was introduced on January 24 with Senator Paul Pinsky as the primary sponsor, along with 24 co-sponsors. Calling for a "Democracy Amendment", this Article V application is similar to several others which seek to overturn the Supreme Court's Citizens United decision. The measure has been assigned to the Education, Health, and Environmental Affairs Committee.

Nebraska: LR268 with Senator Bob Krist as primary sponsor was introduced in January 2017. It had its first reading on January 4, 2018, with a hearing scheduled for January 24, 2018. The resolution would call for an Article V convention to deal with "fair and free elections". The resolution seeks to be considered along with resolutions from other states that generally seek to overturn the Supreme Court's Citizens United decision.

New York: SB3317 was introduced on January 3 with 10 Senate sponsors. AB5109 is a

similar bill introduced in the House on the same date with 35 sponsors. The bills are proposed Acts rather than Resolutions, but they call on Congress to “to call a national constitutional convention to propose amendments in order to address concerns raised by the decision of the United States Supreme Court in Citizens United v. Federal Election Commission”.

South Carolina: HCR4174 (with a single sponsor) and SCR571 (with 2 sponsors) were introduced in 2017. Both bills appear to still be alive. These bills deal with proposing Campaign Finance Reform.

Washington State: On January 9, 2017 SJM8000 was introduced with Senator Dean Takko as primary sponsor, supported by 14 co-sponsors. Although the “Whereas” clauses talk about the need for campaign finance reform, as written this is essentially an application for an “open” Article V convention. The bill appears to be alive, residing in the Senate State Government, Tribal Relations & Elections Committee. A more recent version of this measure, HJM4003, was introduced in January 2018 with Rep. Jessyn Farrell as primary sponsor and 23 co-sponsors.

Similar efforts are known to be underway in Hawaii, New Jersey, and Virginia.

Article V Convention Delegate-related Bills – At the September 2017 Arizona Article V Planning Convention delegates voted to encourage all state legislatures “*to enact delegate selection legislation at the earliest opportunity*”. These are states currently considering such actions:

Nebraska: LB1058 is billed as a “Faithful Delegate to Federal Article V Convention Act”. It was introduced on January 17 by Senator Steve Halloran as prime sponsor. The bill has 15 co-sponsors. It has been referred to Government, Military and Veterans Affairs Committee.

New Hampshire: HB1268 was introduced on January 3 with Rep. Timothy Horrigan as primary sponsor. This bill establishes a procedure for the selection of delegates to an Article V convention. It is pending before the House Legislative Administration Committee.

Virginia: SJR31 was introduced on January 8 by Senator Mark Peake. Then companion measure HJR49 was introduced on January 19 with Delegate Mark Cole as primary sponsor. Both measures have 2 co-sponsors. This resolution establishes "procedures for selecting and replacing commissioners to represent the Virginia General Assembly at interstate conventions (including Article V conventions), for clarifying the scope of authority of commissioners and committees at such conventions, for enforcing limits on such authority, and for prescribing an oath to be taken by interstate convention commissioners."

An effort is also known to be underway to propose such legislation in Michigan.

Another Related Bill of Interest –

New Hampshire: HJR4 is not actually an application for an Article V convention. Rather, it is a resolution "urging Congress to apply laws equally to United States citizens and members of Congress", while urging sister states to hold an Article V convention for the same purpose. The measure has 10 sponsors and has been referred to the House State-Federal Relations and Veterans Affairs Committee.

Who Said It?

**Ronald Reagan helped launch the state-led campaign for a BBA
in the mid-1970s.**

**Since then, Washington has spent nearly \$12 trillion on interest
(over \$100,000 per tax-payer), and borrowed nearly \$18.5 trillion
(over \$150,000 per tax-payer), costing each taxpayer over \$250,000.**

**Each year we don't act, another \$14,000
(\$10,200 borrowed, and \$3,800 blown on interest)
is added to each tax-payers burden.**

Lisa Nelson, CEO
American Legislative Exchange Council

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and New Mexico State Representative Yvette Herrell (yherrell@yahoo.com)
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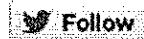


PUBLIC POLICY
= 9

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Tuesday, February 6, 2018



TOP NEWS

= 9

Senate OKs Irell & Manella's Iancu For USPTO Head

The Senate approved President Donald Trump's pick to lead the United States Patent and Trademark Office Monday, confirming Irell & Manella LLP managing partner Andrei Iancu with a largely bipartisan vote. [Read more »](#) = 9

Analysis

= 9 What The New FTC Means For 'Open Internet' Enforcement

In the wake of the Federal Communications Commission's contentious vote to overturn Obama-era net neutrality rules and to hand enforcement against online abuses largely to the Federal Trade Commission, the FTC is itself being remade with a slate of new nominees. [Read more »](#)

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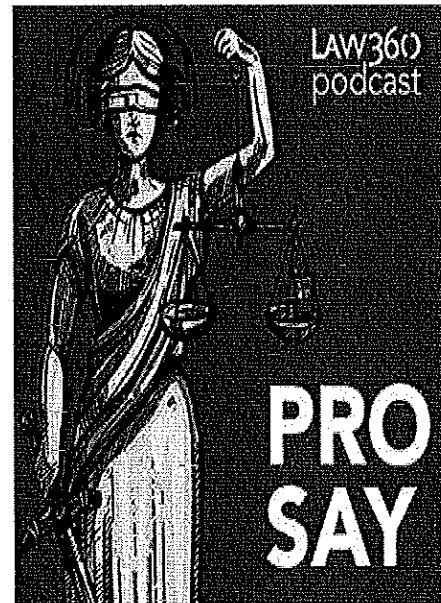
DOD Pushes Spending Hikes In New Nuclear Weapons Plan

The U.S. Department of Defense on Friday issued a new Nuclear Posture Review, affirming its commitment to maintaining the "nuclear triad" as a deterrent to U.S. adversaries while calling for billions of dollars in increased investment to modernize the equipment that underpins that triad. [Read more »](#) = 9

US Probes WTO Oversight Mechanism As It Mulls New Deals

As the Trump administration continues to hint at pursuing a new suite of trade deals with major partners, it has begun to ask questions about the World Trade Organization's system for examining and vetting accords among its members, according to a WTO document published Monday. [Read more »](#)

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[Listen to our new podcast here](#)

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LAW FIRMS

Akin Gump

Altshuler Berzon

Andrews Kurth Kenyon

Arnold & Porter

Bingham McCutchen

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Connell Foley

Cotchett Pitre

DLA Piper

Davis Wright Tremaine

Dentons

Drinker Biddle

Eckert Seamans

Epstein Becker Green

Eversheds Sutherland

= 9

Faegre Baker

Fenwick & West

Fredericks Peebles

= 9

NJ Senators Advance Bill To Raise Judges' Salaries

Bipartisan New Jersey legislation that would give salary increases to certain state workers, including judges who have gone without raises for nearly a decade, advanced on Monday after its first review by the Senate Budget and Appropriations Committee. = 9 [Read more »](#)

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Puerto Rico Oversight Board Defends \$1.3B PREPA Loan Bid

Puerto Rico's government and the federally appointed board overseeing its historic debt restructuring are fighting hard to get a \$1.3 billion emergency loan approved for the island's beleaguered electric utility, blasting creditor objections to the plan as petty and legally unsound. [Read more »](#)

Analysis

Outcry Over Tip Reg Rollback Grows As Comments Close

Opposition to the U.S. Department of Labor's push to rescind Obama-era tip pooling regulations gained momentum ahead of Monday night's deadline for public comment on the agency's proposal, spurred on by a report that the DOL covered up data showing the changes could have a hefty cost for workers. [Read more »](#)

BANKING & SECURITIES

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Analysis

Fed's Wells Fargo Punishment Puts Pressure On Powell

Now that the Federal Reserve has imposed stiff growth restrictions on Wells Fargo & Co. for its fraudulent account scandal and other consumer harms, all eyes will turn to the central bank's new chairman to see how he

Gibson Dunn

Gordon & Rees

Greenberg Traurig

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Holland & Knight

Irell & Manella

Jones Day

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K&L Gates

Katten Muchin

Kelley Drye

Kirkland & Ellis

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Kramer Levin

Levin Papantonio

Levin Sedran

Maraziti Falcon

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Mayer Brown

Michael Best

Morgan Lewis

Native American Rights Fund

O'Melveny & Myers

O'Neill & Borges

Ogletree Deakins

Proskauer Rose

Ropes & Gray

Sanders Warren

Shearman & Sterling

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Sonosky Chambers

Stark & Stark

Steptoe & Johnson LLP

Stoel Rives

Weil Gotshal

Wiley Rein

= 9

COMPANIES

carries through on the hefty penalties. Read more »

= 9

FINRA Hits Wedbush With \$1.5M Consumer Protection Fine

The Financial Industry Regulatory Authority on Monday fined Wedbush Securities Inc. \$1.5 million for violating the Securities and Exchange Commission's customer protection and net capital rules, finding that the firm exposed customers to risk and failed to detect deficiencies for nearly seven years. Read more »

ENERGY & ENVIRONMENTAL

Trump's Enviro Picks: White Out, Wheeler Up

= 9

Kathleen Hartnett White, President Donald Trump's controversial pick to lead the White House's Council on Environmental Quality, withdrew her name from consideration on Sunday, but Andrew Wheeler, Trump's choice to serve as the U.S. Environmental Protection Agency's second-in-command, will have his nomination considered anew on Wednesday. Read more »

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REAL ESTATE

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Hoboken Can't Get NJ Justices To Review High-Rise Approval

Hoboken, New Jersey, has lost its bid to have the New Jersey Supreme Court review a state appellate decision that found a developer was entitled to automatic approval for two high-rise residential buildings along the Hudson River,

AT&T Inc.

Alliantgroup LP

= 9

American Civil Liberties Union

BDO USA LLP

Bayer AG

Bloomberg

CQS Management Ltd.

CTIA

= 9

Chevron Corporation

Computer & Communications Industry Association

Consumer Federation of America

Courier Corporation

Delta Air Lines Inc.

Facebook

Faculty Athletics Representatives Association

Financial Industry Regulatory Authority Inc.

Foxconn

IMF Bentham Ltd.

Instagram Inc.

International Brotherhood of Electrical Workers

Johnson & Johnson

Lenovo Group Ltd.

Lucas Group

Lyft Inc.

McDonald's Corporation

National Employment Law Project

National Restaurant Association

= 9

National Right to Work Legal Defense Foundation

= A

New Jersey State Bar Association

New York Times Co.

Oracle Corp.

according to orders made available Monday.
Read more »

EMPLOYMENT

Chamber Urges 9th Circ. To Nix Seattle's Uber Union Law

The U.S. Chamber of Commerce urged a Ninth Circuit panel on Monday to find Seattle's ordinance allowing Uber and Lyft drivers to unionize doesn't qualify for an exemption to federal antitrust laws, arguing that the city's powers to regulate transportation companies don't extend to authorizing collective bargaining. Read more »

PRODUCT LIABILITY

Wis. Judge Melts Butter-Grading Law Challenge

A Wisconsin federal judge sided with the state in a lawsuit where a dairy alleged a Wisconsin law requiring the grading of butter sold within state borders was unconstitutional, finding Monday that the state has a legitimate interest in protecting consumers. Read more »

= 9 AEROSPACE & DEFENSE

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DOD Forming Cryptocurrency Guide For Background Checks

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The Defense Security Service said Monday it is working with other U.S. Department of Defense offices to develop guidance on whether cryptocurrency ownership must be disclosed in applications for federal security clearances, following a number of inquiries from the industry. Read more »

INTERNATIONAL TRADE

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Pacific Legal Foundation

Pew Charitable Trusts

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Regents of the University of California

Service Employees International Union

= 9

T-Mobile USA Inc.

Toll Brothers Inc.

= 9

Twitter Inc.

U.S. Chamber of Commerce

= 9

Verizon Communications

Washington Post Co.

Wedbush Securities Inc.

Wells Fargo & Co.

GOVERNMENT AGENCIES

Administration for Children and Families

California Department of Justice
Centers for Medicare & Medicaid Services

Commodity Futures Trading Commission

Consumer Financial Protection Bureau

= 9

Council on Environmental Quality

Defense Security Service

Executive Office for Immigration Review

Executive Office of the President

Federal Bureau of Investigation

Federal Communications Commission

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Federal Election Commission

Federal Reserve System

Left-Leaning Sens. Unveil Core NAFTA Demands

A group of six progressive senators illustrated their vision for a revamped North American Free Trade Agreement on Friday, demanding stronger rules on labor and the environment and calling for the abolition of a controversial investment arbitration system. [Read more »](#)

TAX

= 9

Analysis

From Amazon To Foxconn, Incentives To Woo Biz Scrutinized

Recent efforts by 20 finalist cities to entice Amazon to build its new headquarters in their community and by Wisconsin to lure Foxconn have sparked a trend of heightened awareness and scrutiny over using tax dollars to woo and keep businesses and to create jobs. [Read more »](#)

= 9

House Panel Seeks Reformed Hiring Practices At IRS

The House Committee on Oversight and Government Reform asked Friday for information on the Internal Revenue Service's pledge to reform its hiring practices to ensure that past employees with documented performance issues are not rehired, saying it's unclear if the agency's vow has been carried out. [Read more »](#) = A

IRS May Struggle To Comply With 2-For-1 Regulation Order

The IRS has said little about how it will carry out President Donald Trump's executive order requiring government agencies to eliminate two regulations for every new one created, but complying with the order appears daunting for a resource-strapped agency already strained to its limits. [Read more »](#)

IMMIGRATION

Federal Trade Commission

= 9

Hopi Tribe

Internal Revenue Service

International Monetary Fund

Judicial Conference of the United States

NAFTA

Navajo Nation

Office of Foreign Assets Control

Office of the Comptroller of the Currency

Securities and Exchange Commission

U.S. Department of Agriculture

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. Office of Personnel Management

U.S. Patent and Trademark Office

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U.S. Senate

U.S. Supreme Court

Wage and Hour Division

Wisconsin Department of Justice

World Trade Organization

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Analysis

Tough Odds Face Those Pushing For Attys For Immigrant Kids

The Ninth Circuit recently dealt a blow to immigration advocates who have pushed for court-appointed attorneys for children appearing in immigration courts, but the quest for increased attorney access is not over. Here's what you need to know about the ongoing fight. [Read more »](#)

= 9

Calif. Says Justices Shouldn't Hear Feds' Appeal Over DACA

California and three other states on Friday urged the U.S. Supreme Court not to hear the Trump administration's appeal of a temporary pause of its move to end the Deferred Action for Childhood Arrivals program, claiming there was no justification for such "extraordinary departure" from ordinary practice. = 9 [Read more »](#)

= 9

McCain, Coons Propose Bipartisan DACA Compromise

= A Sens. John McCain, R-Ariz., and Chris Coons, D-Del., introduced a bipartisan immigration compromise on Monday that would offer immediate conditional permanent residence to Deferred Action for Childhood Arrivals-eligible youth known as "Dreamers" and tighten border security. [Read more »](#)

= 9

House Bill Would Imprison Pols Defying Immigration Laws

The House Judiciary Committee took up a bill on Friday that would punish state or local officials, like those in so-called "sanctuary cities," who refuse to comply with federal immigration laws and policies. [Read more »](#)

NATIVE AMERICAN

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Navajo Nation Sues HHS Over \$7.2M Education Program Cut = 9

The Navajo Nation sued the U.S. Department of Health and Human Services in D.C. federal court Friday, claiming the agency didn't give the tribe a chance to challenge a \$7.2 million cut in funding for early childhood education. [Read more »](#)

= 9

Keep Tribes' Bears Ears Case In DC, Native Groups Say

A coalition of five tribes has told the D.C. District Court that it should reject the federal government's bid to transfer to Utah a case challenging President Donald Trump's decision to slash the size of Bears Ears National Monument, arguing it was a national dispute and properly in the capital. [Read more »](#)

TELECOMMUNICATIONS

= 9

Verizon's Super Bowl Ad Points To Competing 911 Networks

= 9 Verizon's heartstring-tugging TV advertisements that aired Sunday night during the Super Bowl praised first responders, but they also subtly plugged emergency network expansion and hinted at a policy agenda as the FirstNet public-private partnership shapes up. [Read more »](#)

Pai Asks Wireless Industry To Help Combat Prison Cellphones

Federal Communications Commission Chair Ajit Pai is calling out wireless carriers for sitting on the "sidelines" in the effort to rid prisons of contraband cellphones, urging the companies to lend their expertise on a

"problem that puts prison guards, inmates and the public at risk." Read more » = 9

Alleged Russian Spam Kingpin Extradited To US = 9

A Russian computer programmer U.S. authorities call one of the "world's most notorious criminal spammers" has been extradited to the U.S. to face charges that he operated the "Kelihos" network of infected computers, spewing spam and other malicious software to users all over the world. Read more »

= 9

NJ Joins Net Neutrality Suit, Tells ISPs To Obey Principles

The administration of New Jersey Gov. Phil Murphy on Monday entered the fray over the Federal Communications Commission's repeal of net neutrality rules, joining a multistate lawsuit to block the move and issuing an executive order requiring internet service providers that contract with the state to follow net neutrality principles. Read more »

EXPERT ANALYSIS

Key Recent Changes To Lobbying, Campaign Finance Rules

The 2018 midterm elections are quickly approaching, bringing with them anticipated increases in political activity along with scrutiny from government regulators and the press. Melissa Laurenza and Samuel Olswanger of Akin Gump Strauss Hauer & Feld LLP examine recent changes to federal and state lobbying, gift and campaign finance laws and regulations, and analyze their significance and impact. Read more »

= 9

What To Know About CMS' New Bundled Payment Model

The Centers for Medicare & Medicaid Services recently announced a new voluntary bundled

payment model with the goal of incentivizing financial accountability, care redesign, data analysis and feedback, provider engagement, and patient engagement. The move suggests the agency will remain a player in testing and facilitating value-based payment reform, say attorneys with Ropes & Gray LLP. = 9 [Read more »](#)

Interpreting Treasury's Report On Russian Oligarchs

= 9 The recent report by the U.S. Department of the Treasury on senior foreign political figures and oligarchs in the Russian Federation is not a "sanctions list." Yet the prospect remains that parties identified in the report could become targets of sanctions or other restrictions — and transactions with such parties could also become subject to closer scrutiny, say attorneys with Kirkland & Ellis LLP. [Read more »](#)

LEGAL INDUSTRY

Feature

How To Avoid Burning Bridges When An Attorney Leaves

Sending a lawyer away in a less than desirable fashion can hurt a law firm's reputation, cut off the possibility of a future relationship with the individual attorney, and create anxiety and even discontent among those who remain. Here, Law360 explores three ways law firms can avoid burning bridges when someone leaves. [Read more »](#)

Judiciary Ends Kozinski Inquiry Due To His Retirement

= 9 An investigation into accusations that former U.S. Circuit Judge Alex Kozinski exhibited sexual misconduct toward multiple former staffers has been called off, as the Second Circuit Judicial Council said Monday that Judge Kozinski's resignation removes him from the scope of judicial conduct proceedings. [Read more »](#)

Ex-Sutherland Partner Competent To Stand Trial, Judge Rules

A Georgia federal judge on Friday ruled a former Sutherland Asbill & Brennan LLP attorney accused of stealing millions from a wealthy family is competent to stand trial, finding evidence presented to the court of the 76-year-old lawyer's alleged cognitive decline "inconsistent and suspect." [Read more »](#)

Atty Scolded For '#Killinnazis' Exits Pa. Xarelto Cases

= 9 A Florida attorney who was chided by a Philadelphia judge last month for posting courtroom photos on social media with the inflammatory hashtag "#killinnazis" will not be involved in six upcoming trials over injuries allegedly caused by Bayer AG's blood thinner Xarelto, according to an order docketed Friday. [Read more »](#)

= 9 Morgan Lewis IP Partner Lands San Francisco Magistrate Job

A Morgan Lewis & Bockius LLP partner focused on antitrust and intellectual property matters has been tapped to fill a magistrate judgeship in the Northern District of California, the court said Monday, making him at least the third intellectual property litigator chosen for the Silicon Valley-area job in two years. [Read more = 2](#)

= 9

Litigation Finance Co. Sells Most Of US Portfolio For \$57M

Litigation finance firm IMF Bentham Ltd. has sold the majority of its U.S. investment portfolio to Bentham IMF Fund 1 LLC for \$57.4 million, which raises the fund's ceiling from \$133 million to \$166.3 million, the firm announced on Monday. [Read more » = 9](#)

Feature

= 915 Minutes With Andeavor's Deputy General Counsel

= 9

Claudius Sokenu, deputy general counsel of global oil refinery Andeavor, speaks to Law360 about the differences between life in-house and at a law firm, the one thing he demands from all of his outside counsel, and a hypothetical lunch between Nelson Mandela, Martin Luther King Jr. and Muhammad Ali. [Read more »](#)

= 9

= 9 Katten Muchin Opens Office With Ex-Andrews Kurth Partners = 9

= 9Katten Muchin Rosenman LLP launched a new office in Dallas, Texas, Monday with seven former partners from Andrews Kurth Kenyon LLP whose practices largely focus on corporate law. [Read more »](#)

= 9

Law360's 2018 Editorial Board Selection Survey

Law360 is looking for avid readers of our publications to serve as members on our 2018 editorial advisory boards. [Read more »](#)

JOBS

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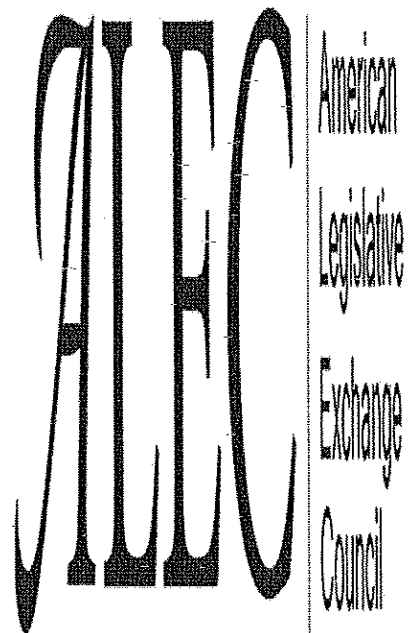
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From: Courtney Cook
Sent: Friday, February 9, 2018 1:31 PM
To: Rep93
Subject: Join ALEC in Grand Rapids, MI!

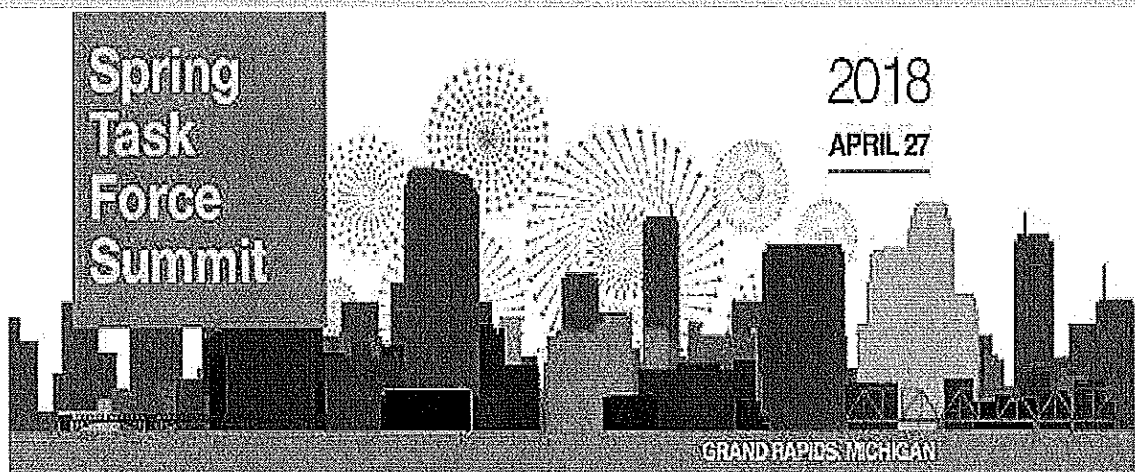
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Have you registered for the ALEC 2018 Spring Task Force Summit?

When: April 27, 2018

Where: The Amway Grand Plaza

Grand Rapids, MI





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Agenda at a Glance

Friday, April 27, 2018

8:00 AM - 11:00 AM: Task Force
Subcommittees

11:00 AM - 11:50 AM: Workshop

12:00 PM - 1:30 PM: Luncheons

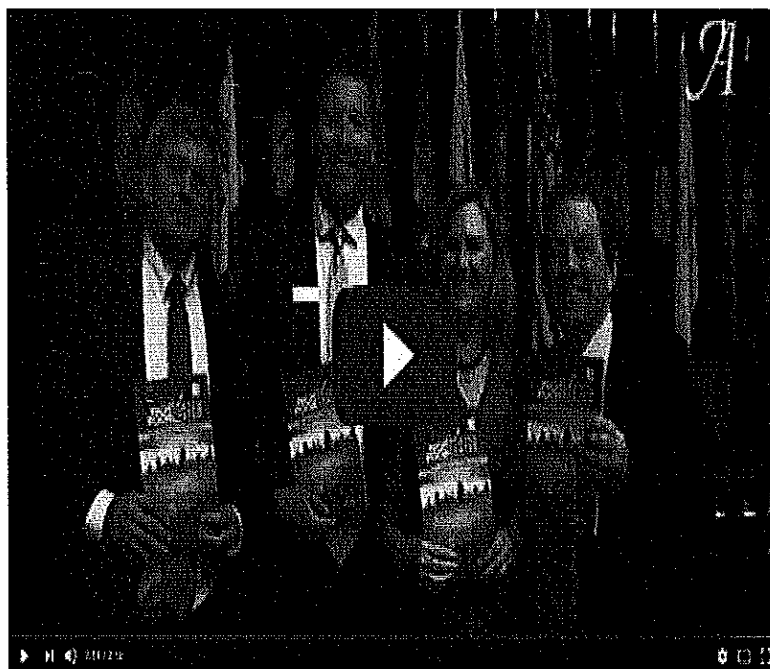
2:00 PM - 5:00 PM: Task Force
Meetings

5:00 PM - 6:00 PM: Michigan Welcome
Reception

*Agenda is subject to change

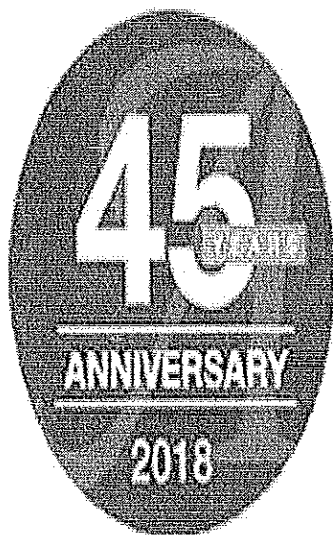
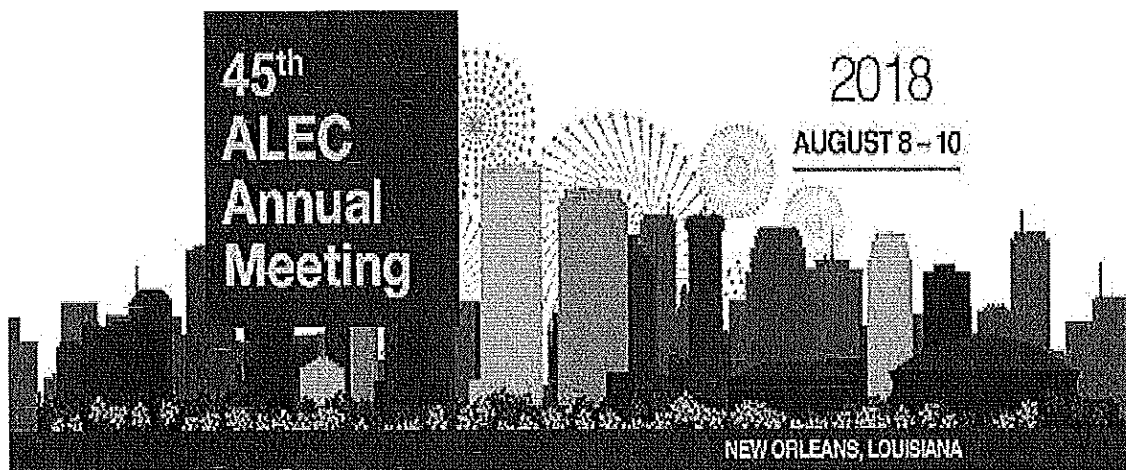
Agenda

ALEC 2017 Year in Review



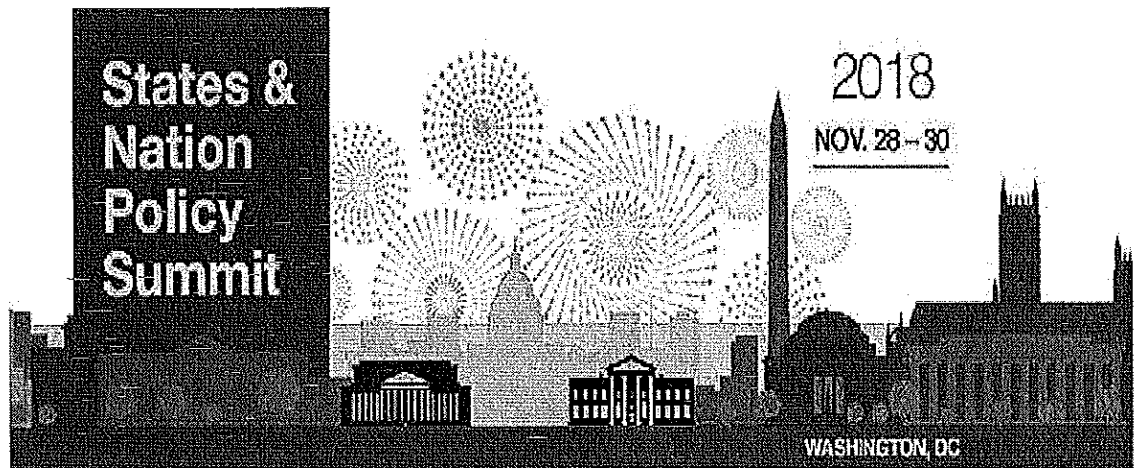
We hope you will be a part of the action in 2018!

Save-the-Dates



ALEC 45th
Anniversary
Gala

Wednesday
September 26, 2018



We look forward to seeing you in 2018!

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Courtney Cook
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= A Arlington, VA 22202

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From: Rep93

Sent: Tuesday, February 13, 2018 8:54 AM

To: Snider, Grace

Subject: FW: School Based Health Care Work Group - Conference Call Feb. 14

From: Theresa.Hatton@governor.ohio.gov

[mailto:Theresa.Hatton@governor.ohio.gov] **On Behalf Of**

greg.moody@governor.ohio.gov

Sent: Monday, February 12, 2018 4:16 PM

To: Theresa.Hatton@governor.ohio.gov; 'matt_karlan@mckinsey.com'

<matt_karlan@mckinsey.com>; 'rgraham@lcghd.org' <rgraham@lcghd.org>;

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aft.org>; 'ehenrich@oacbha.org; 'ajbrenn10@aol.com' <ajbrenn10@aol.com>; Peggy

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<joan.hlinomaz@ketteringschools.org>; Kate Rossman
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<drgossard@ecpnetwork.com>; mark.smith@education.ohio.gov; LESLEY.SCOTT-
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<rdickman@ohioaap.org>; 'Kate Mahler' <KMahler@ohioafp.org>;
Lance.Himes@odh.ohio.gov; 'mpweisel@voryshcadvisors.com'
<mpweisel@voryshcadvisors.com>; 'tcoder@oacbha.org' <tcoder@oacbha.org>;
'jaysmith@ohioschoolboards.org' <jaysmith@ohioschoolboards.org>;
'HWS@ohiopta.org' <HWS@ohiopta.org>; tina.evans@exchange.state.oh.us;
'brown5223@att.net' <brown5223@att.net>; 'executivedirector7209@gmail.com'
<executivedirector7209@gmail.com>; 'amckenzie@childrensdefense.org'
<amckenzie@childrensdefense.org>; David.Frash@jfs.ohio.gov;
'tstrieter@greeneESC.org' <tstrieter@greeneESC.org>
Cc: Paolo.Demaria@education.ohio.gov; John.Martin@dodd.ohio.gov;
Cynthia.Duney@jfs.ohio.gov; Barbara.Sears@medicaid.ohio.gov;
tracy.plouck@mha.ohio.gov; Monica.Juenger@governor.ohio.gov;
Sarah.Wickham@education.ohio.gov; Marjorie.Yano@medicaid.ohio.gov;
'jimmy_sarakatsannis@mckinsey.com' <jimmy_sarakatsannis@mckinsey.com>
Subject: School Based Health Care Work Group - Conference Call Feb. 14

We invite you to participate in a February 14 conference call and WebEx to review (1) how Ohio's comprehensive primary care program and school improvement planning process support school based health care, (2) a proposed timeline for launching the school based health care initiative, and (3) a preliminary approach to determine whether a school should receive enhanced support.

Everyone is welcome to join the call (details below). The goal is to provide deeper background and keep everyone apprised of our current thinking so we can hit the ground running at our next in-person meeting (March 14).

Thank you,

Paolo DeMaria
Greg Moody

School Based Health Care Call
Wednesday, February 14, 2018
2:00pm – 3:00pm

WebEx:

<https://mckinsey.webex.com/mckinsey/j.php?MTID=mecc9a766e82ed64b0e8d5636e2a33c66>

Meeting number:

Meeting password:

Dial in:

From: Hatton, Theresa On Behalf Of Moody, Greg

Sent: Friday, February 02, 2018 4:02 PM

Subject: School Based Health Care Work Group Follow Up

Thank you for participating in the school-based health care workgroup. We wanted to follow up with a few next steps:

- 1. Please plan to attend the next session with the whole group on March 14.** We will discuss school toolkit supports, review a refined model, discuss the engagement plan, and preview activities for the next several months.
- 2. Prior to the next meeting, please share any input regarding the breakout sessions or other expertise that would help refine the model.** We are particularly interested in hearing from anyone with ideas on the key features of successful school-based health care models and/or features that could improve those models. Send your input to Matt Karlan. (matt_karlan@mckinsey.com).
- 3. Please consider participating in two conference calls to go into more detail on specific model design topics.** You are welcome to participate in both and encouraged to participate in at least one of the following:

2/14 – 2-3 PM EST — Determining the schools that would benefit most from enhanced support and helping schools find the right care delivery model based on their needs

2/28 – 10-11 AM EST — Building support tools that will help simplify implementation of school-based healthcare for schools and providers

(You will receive additional information about how to participate in a follow-up email.)

Thank you again for your leadership and do not hesitate to reach out with any suggestions or questions.

Best,

Paolo DeMaria and Greg Moody

School Based Health Care Workgroup

Wednesday, March 14, 2018

10:00am – 11:30am

Lazarus Office Building, 6th Floor

50 W. Town Street

Columbus, OH 43215

RSVP: <https://goo.gl/forms/6JfYfZkgR11MH78U2>

****Allow additional time to check in with Dept. of Medicaid security upon arrival.*

From: Caitlin Johnson, Policy Matters Ohio
Sent: Tuesday, February 13, 2018 1:32 PM
To: Rep93
Subject: RELEASE: Advocates call for policies that support Ohio's workers

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PRESS RELEASE

= A

Advocates call for policies that support Ohio's workers

Contact: [Hannah Halbert](#)
614.221.4505

Later this month, the U.S. Supreme Court will hear *Janus v. AFSCME*, which threatens the ability of unions to collect fair share fees. Ohio legislators also recently unveiled a slate of proposals designed to give more power to corporations at the expense of workers, including so-called "right to work" legislation, which could greatly reduce the power of Ohio's unions. With working people facing threats at state and national levels, Policy Matters Ohio joined ProgressOhio to unveil a [new policy brief, "A way forward: 10 ways to support Ohio's working people."](#)

"So-called 'Right-to-Work' legislation and related judicial attacks like the pending *Janus* case don't address these real struggles of working people," Policy Matters Researcher Hannah Halbert said. "Unionized workers in Ohio make \$4 an hour more than their non-union counterparts, \$8,000 more a year for full-time work. Union workers are more likely to have pensions and paid sick days, and less likely to be treated unfairly at work or experience harassment or workplace injuries."

Cincinnati fire fighter and Ohio Association of Professional Fire Fighters Communications Director Doug Stern said so-called right-to-work laws not only chip away at the fabric of unions, but can make communities less safe.

"Attacks like these on working people and unions are attacks on fire fighters, police officers and all first responders, he said. "Our fire fighters and police officers deserve the right to collectively bargain so that we can effectively advocate for the training and equipment that keep our communities safe."

For decades, state and federal policymakers have chipped away at worker protections. As a result, Ohio's job growth has been weak and the state's wealthiest 1 percent earned more than 19 times the average of the bottom 99 percent of earners combined.

"The decline of unions has significantly contributed to the decline of the middle class as wages have remained stagnant and workers are getting a smaller and smaller share of income," said Wright State University Economics Professor Rudy Fichtenbaum. "Attacks on unions are not about increasing job growth; they're about corporations and the political elite gaining power over workers."

Policy Matters calls for the policymakers to protect workers' right to organize, as well as strengthen the public sector, raise the minimum wage, restore the 40-hour work week, fix Ohio's broken unemployment compensation system and more.

[See the press conference on Facebook Live.](#)

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From: Public Policy Law360
Sent: Wednesday, February 14, 2018 4:53 AM
To: Rep93
Subject: Senate Panel Grills OMB's Mulvaney On Trump Budget

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Wednesday, February 14, 2018



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TOP NEWS

Senate Panel Grills OMB's Mulvaney On Trump Budget

Office of Management and Budget Director Mick Mulvaney defended the Trump administration's 10-year spending plan Tuesday, as senators on both sides of the aisle questioned the budget proposal for federal spending. [Read more »](#)

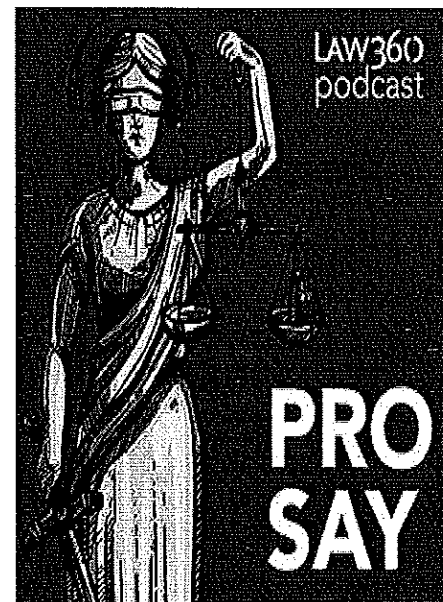
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Kaspersky Opens New Front In Legal Fight With White House

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Moscow-based antivirus firm Kaspersky Lab has launched a new salvo in its legal battle with the White House, this time claiming in D.C. federal court that U.S. Department of

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Defense legislation banning its products from government systems unconstitutionally singles it out. [Read more »](#)

Analysis

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Trump Infrastructure Plan Would Spur Pipeline Projects

Though much of it would require congressional approval, the infrastructure plan unveiled Monday by President Donald Trump would be a boon for pipeline developers, who would benefit from shortened environmental reviews and potential limits on the permitting authority of states. Here's a look at several pieces of the proposal that could grease the skids for pipeline companies. [Read more »](#)

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= 9 Trump's DACA Rollback Paused By NY Judge

A New York federal judge on Tuesday entered an order that temporarily bars the Trump administration from rescinding the Deferred Action for Childhood Arrivals program, holding that the federal government has not sufficiently justified why it sought to roll back the immigration initiative. [Read more »](#)

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House Easily Votes To Rekindle Tariff-Cutting Program

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The U.S. House of Representatives on Tuesday overwhelmingly voted to reauthorize the Generalized System of Preferences, a program that slashes duties on imports from developing nations that expired at the end of last year, teeing up a vote for final passage in the Senate. [Read more »](#)

= A

Analysis

3 Online Policy Areas That Need Some Valentine's Day Love

[Listen to our new podcast here](#)

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Orrick Herrington

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Rawle & Henderson

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Wigdor LLP

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Willkie Farr

Wilson Sonsini

Winston & Strawn

As social media changes the way we look for love, news and inspiration, it's also offering scammers and advertisers new platforms to take advantage of consumers. Here, Law360 looks at three online policy areas that could use some extra love this year. = 9 [Read more](#) »

BANKING & SECURITIES

= 9

Analysis

= A Congress Must Tackle Threat Bank Regs Pose To 5G Build-Out

The global race to 5G has put pressure on the Federal Communications Commission to free up high-band spectrum for the next generation of wireless technology, but the agency says its hands are tied until Congress solves a banking issue standing in the way of future spectrum auctions. = 9 [Read more](#) »

= 9

Analysis

= 9 SEC Initiative A More Efficient Fix For Adviser Conflicts= A

A U.S. Securities and Exchange Commission program offering to waive financial penalties against investment advisers who self-report cases where they sold higher-priced funds to collect bigger fees could streamline efforts to clean up the industry and return money to overcharged clients, legal experts said Tuesday. [Read more](#) »

ENERGY & ENVIRONMENTAL

= 9

Analysis

Energy Funds For Schools New Twist In Tribal Budget Battle

The Trump administration's proposed 2019 budget proposes a multibillion-dollar boost for repairing Bureau of Indian Education schools

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County and Municipal Employees

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Nickelodeon Global Network
Ventures Inc.

with revenue from energy development on federal lands, but raises concerns about how the plan would work and whether other tribal funding priorities will get short shrift, attorneys say. = 9 Read more »= A

BLM Proposes Pulling Back Obama's Methane Flaring Rule

The U.S. Bureau of Land Management on Monday proposed to eliminate most of an Obama-era rule aimed at reducing the amount of methane that oil and gas companies release on federal and Native American lands, saying the regulations are too costly for business. = 9 Read more »

BakerHostetler Nabs Ex-Davis Wright Tremaine Energy Atty

BakerHostetler has announced it picked up an energy industry veteran from Davis Wright Tremaine LLP, adding a seasoned attorney with years of experience appearing before the Federal Energy Regulatory Commission. Read more »

TRANSPORTATION & INFRASTRUCTURE

Ethics Group Seeks Probe Of Ex-Rail Official's Outside Work

An ethics watchdog group asked the U.S. Department of Justice on Tuesday to investigate the Federal Railroad Administration's former deputy administrator, who resigned Saturday amid questions about simultaneous consulting work he did for a Mississippi county sheriff's department while serving as a federal official. Read more »

REAL ESTATE

GSA Issues \$3.3B Plan To Rebuild FBI Headquarters

The General Services Administration and the FBI intend to replace the current FBI headquarters in Washington, D.C., with a new

= 9

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Public Broadcasting Service
Robert Bosch GmbH
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GOVERNMENT AGENCIES

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= 9
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Federal Energy Regulatory Commission
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